

SCREEN

RADIO

BANDS

STAGE

VARIETY

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N. Y. LEGITS WOO TOURISTS

De Luxe Gambling Joints' \$1,000 Bingo Prizes Dent Cleve. Niteries, Theatres

Cleveland, April 30.

Four downtown niteries are having their licenses suspended from 10 to 60 days, to punish them for booze violations, and most of the others are starving as a result of an attack of 'gamblingitis' which has hit this burg.

Owners of nite dens are blaming the current poor business on five super-gambling casinos, right across the county line, which are getting an unprecedented play from amusement-seekers this season. Magnets which are pulling estimated crowds of 15,000 away from downtown niteries and theatres are \$1,000 bingo prizes at every nightly session. Roulette and dice joints are reputed to be grossing \$1,500,000 per month. Figure sounds incredible, but it's quoted by crusading newspapers that are riding lax police officials, whose hands are tied by politics and jurisdictional problems.

Impresarios of legit clubs say they can't buck up against the big entertainment names that several of the major gambling casinos have been importing.

Exhibits also have their dander up because their banko giveaways, which rarely build up to anything over \$800, can't compete against the \$1,000 come-ons offered by the de-luxe gambling joints. Since these spots engaged a fleet of low-tariffed busses to pick up the suckers, one exhibitor complains that his bank nite biz dropped off nearly 50%.

Florida's Boom This Yr. Presages Even Bigger '40-41: Nitory Branches

Success this past winter of almost every nitory and restaurant in Miami and Miami Beach will see Florida boomed for show biz as never before next winter. Theory of the war and the practical discovery of Florida for the average purse is priming many an established northern spot to set up Florida branches from now on.

Furthermore, Florida as a November-May proposition, rather than just a couple of months, is being conceded by many who are not on the local chambers of commerce. Consistent year-round population is growing. Housing problem, while never acute, has been markedly increased, and at the peak months this past season there wasn't too much spare room. The more 'desirable' hostilities are always embarrassed by the unusual demands for accommodations.

Gambling or no, northern eatery and nitory entrepreneurs from New York, Chi. Boston, etc., who have been making surveys of the Florida situation, have come to the realization.

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NOEL COWARD MAPS N. Y. PLAY PRODUCTION

After eight months of work in the Paris office of the British Propaganda Ministry, where he held a confidential post, Noel Coward arrived in New York Monday (29) from abroad to set plans that he has for a Broadway legit production in the fall. With John C. Wilson, his manager, with whom he's been associated in the past, Coward plans to

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ONE - NIGHTERS VIA PLANES, NEW TREND

Chicago, April 30.

Dance bands' one-nighters, via airplane jumps, is the 1940 switch on yesteryear's tedious touring. It may keynote similar travel by itinerant companies, ranging from legit to vaudeville, because of its time-saving factors and, more importantly, the wear and tear on the artist.

These aeronautical one-night stands in turn have interpreted themselves into making the bandmen considerably air-minded. Maestros who are already licensed pilots are encouraging their keymen and other band leaders to learn how to handle the stick themselves. Larry Clinton, and Bobby Byrne fly their own planes. Jack Teagarden is about to buy a ship. Al St. John, Teagarden's trumpeter, is a licensed pilot, and the two will cover their dates by air.

Byrne started a series of one-nighters in the New England area on Monday (29), flying a chartered plane while his band covers jumps by bus, the N. E. dates being fairly

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Geo. McManus May Play 'Jiggs' in Gerard's Pix Versions of Cartoons

George McManus, who created and has been drawing the 'Bringing Up Father' comic strip for 28 years, may play 'Jiggs,' his leading character, in a series of feature films based on the cartoon. Screen rights to the strip were purchased last week from King Features Syndicate by Barney Gerard, vet burley and musical producer, who for the past few years

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10 MUSICALS ON TAP IN SUMMER

Biggest Hot-Month Stage Season in Years—Push 'Make Broadway the Main Entrance to the World's Fair' Slogan

\$2 LEGIT ADDED HYPO

Consciously or not, New York's legit showmen appear to be carrying through with a vengeance the Broadway Association's efforts to make 'Broadway the Main Entrance to the World's Fair.' Unless the bottom drops out between now and June 1, Broadway will have more legit, with special emphasis on song and dance shows, than any summer since the Big Decline set in.

Provided that six of the current musicals survive, the musical show count on Broadway this Fair season should total 10 such attractions. At least four new tune shows are listed for N. Y. late this month or early in June, which, plus the fact that there

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BLACKOUTS KEEP 'EM AT HOME, MUSIC BIZ BOOMS

Joe Gilbert, British songwriter, who arrived in New York last week, describes the music business in England the best that it has been in 25 years. Because of the blackouts the people can do little else in their leisure hours but listen to the radio, play the piano or phonograph, or read.

Gilbert used to publish, but he has given this up for the duration.

Evans Up in Lights On Milwaukee City Hall

Milwaukee, April 30.

Defying criticism from squawkers against 'making a billboard of the city hall,' Mayor Carl F. Zeidler, recently elected by his brilliant showmanship, permitted an electrically illuminated sign to go up on the city hall tower Friday (26) with the wording: 'Maurice Evans in King Richard.'

Ordinarily this choice space is reserved for welcoming conventions or official dignitaries to the city. It had been eyed enviously for 25 years by publicity men, but all pleas were nixed until this past week, when Toni Thenee, manager of the Davidson theatre, managed to get it for Evans, who opened here Monday (29) for a three-day engagement.

Complete text of U. S. Department of Commerce proposals for film industry consent decree on page 13.

CBS to Showcase Stars This Summer; Durante-Cook, Huston, March, Others

MUSIC MEN BOYCOTT HOTEL'S UPPED COVERS

Mrs. Maria Kramer, operator of the Edison and Lincoln hotels, N. Y., is feuding with music publishers' contactmen as the result of an action that the latter's union took against Gray Gordon's opening night for the music industry at the Edison last Tuesday (23). The union didn't like the idea of her raising the cover charge for the event from the usual

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RINGLING CIRCUS N. Y. PROFIT \$300,000

Ringling, Barnum & Bailey circus rolled out of New York for Boston last night (Tues.), after a cleanup date at Madison Square Garden. Estimated gross was over \$900,000 during the 26-day booking and the approximate profit placed at \$300,000, or around \$75,000 more than last year's Garden date.

Third successive weekend saw standee attendance, with the Saturday takings over \$50,000. Claimed that this season was the best since the present Garden was built, first engagement drawing a \$1,000,000 gate. Last week when tapering was expected there were lines stretching from the advance ticket window west on 50th street the length of the building.

Amusement trade suspicions that the circus type of amusement was on the way out are dissipated by the big top's start this season, more than reaffirming that such shows are still an American institution. If business out of town compares to the starting pace, Ringlings will be in a position to refund much of the

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U. S. Literati in Move To Free Friedrich Wolf From French Confines

The League of American Writers is leading a movement among U. S. scribblers to effect the release of Friedrich Wolf, German anti-Nazi dramatist, from a French concentration camp. The organization fixed a 'Friedrich Wolf Day' when members and sympathizers both in the east and on the Coast besieged the

(Continued on page 55)

CBS hopes to debut this summer the most pretentious alignment of name programs that has ever been associated with a network on a sustaining basis. W. B. Lewis, CBS program chief, is currently in Hollywood tying up the west coast ends for the summer showcase, through which will parade outstanding film, stage, radio and concert names in programs with novel twists as to basic ideas and treatment.

In essence, Columbia is lining up all the available new program or personality shows that have passed the preliminary stage and are deemed ripe for a single public airing so that audience and sponsor reaction may be better obtained. It is to be a series of 14 'Opening Nights' to be aired in 12 half-hour and two full-hour shows. The tentative starting date for this elaborate spurge in sustaining theatrics is mid-July. Idea has been in preparation since mid-winter and has been so thoroughly charted that all Lewis and his aides have to do is obtain the actual signatures of the artists and fill in the required writers.

Personalities

Personages due to have innings through the summer are:

Joe Cook and Jimmy Durante in a minstrel show surrounded by orchestral and vocal talent. Hank Garson and Al Lewis may do the scripts.

Walter Huston in a radio drama. Edna Mae Oliver in a program built to reveal her versatility as a

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Spitalny Mulls All-Girl Musical for His Band; Cancels Tour for Rest

Pittsburgh, April 30.

Broadway's first all-girl musical is a possibility for next season, Phil Spitalny said here last week. 'Hour of Charm' maestro has already been approached by a producer he declined to identify with a proposition to spot his femme band in the entertainment. He is giving the project some serious consideration. Spitalny himself would not appear with the band.

While in Pittsburgh, Spitalny complained of feeling fatigued, and had his manager cancel four weeks of stage bookings in order to take a prolonged rest. Expects to stick to Sunday night radio show exclusively until next fall.

MAY McAVOY'S COMEBACK

Hollywood, April 30.

May McAvoy, star of silent films, is making a comeback at Metro. She has been placed under a term contract and starts in the Nick Carter series.

War Kayos Europe for Concerts, Boom U.S. This Summer, Also S.A.

Summer concert business, which seemed to record proportions last year in the U. S., may soar to even greater heights the coming season. Principal reason, of course, is the war, which has put the already stunted European concert field out of business. But an added factor is the phenomenal grosses pulled by the leading artists in the major spots last summer.

Extent to which the summer concert activity has spread is seen in the employment of the personnel at the various concert management offices. In former years those on the management staffs were given at least four-week vacations, but this year the big question is how the burden of work can be divided so the office staffs can get at least brief time out. Certain departments, such as railroad routing, will be busy through the summer on fall and winter tours. Others normally given leave will be kept on to handle the summer work.

One competitive summer concert field, which may in time replace the European circuit, is South America. Southern hemisphere is having its winter season during the warm months in the U. S., so the time element is just right for Brazil, Argentina and the other large countries of Latin America to take over the former European business. South America has been visited by a few artists for some years, but now seems likely to become more active as a major concert outlet.

Big Attractions to S. A.

In addition to Toscanini's NBC symphony and Stokowski's youth orchestra tours to S. A., the first time a major symphony group from the U. S. has made such a trip, the Monte Carlo Ballet Russe and the Jones Ballet are both touring Latin America during the summer. Among the other headliners playing the S. A. circuit will be Jascha Heifetz, Simon Barer, Rise Stevens and Winifred Christie.

Three major concert names are playing the U. S. summer circuit for the first time this season. They are Grace Moore, Paul Robeson and Vladimir Horowitz. Slated to repeat successful tours of last summer are Lawrence Tibbett, Lily Pons-Andre Kostelanetz, Albert Spalding, Lotte Lehmann, Muriel Dickson, Jose Iturbi (although he's not a top name for the winter season) Jesus Maria San Roma, piano soloist at Gershwin concerts.

Only new spot likely this summer is Rochester, N. Y., which is planning a symph season, with Iturbi doing most of the batoning, and a schedule of name guest artists. Leading dates slated to repeat are Lewisohn Stadium, N. Y.; Grant Park and Ravinia Park, Chicago; Robin Hood Dell, Philadelphia; Lincoln Memorial, Washington, Milwaukee, Cleveland, Chautauque, N. Y.; Stockbridge, Mass.; Newark, N. J.; Holywood Bowl; and the Golden Gate, San Francisco.

As was the practice last summer, artists will be paid as much or more than for indoor dates during the winter season. Fees range downward from guarantees of \$5,000 or so, in many cases calling for a percentage of the gross over a stated figure. That is possible, despite a low admission.

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OKAYS KAY FRANCIS' BREAK WITH AGENCY

Los Angeles, April 30.

Superior court confirmed the arbitration verdict granting Kay Francis her freedom from a managerial contract with Myron Selznick & Co. Case was one of the first under the new arbitration agreement between Screen Actors Guild and Artists Managers Guild.

Miss Francis filed notice of withdrawal from the contract last November, asserting she had had no bona fide offer of employment for a period of four months.

Holding the money bag in a 10% suit, Warners filed an interpleader in Superior court to get out of the middle spot in the Myron Selznick legal battle with Errol Flynn.

Agency is suing the actor for commissions, and the studio is holding \$15,000 of the Flynn salary. It wants to know what to do with the coin.

Jitterbug Defined

Cully Richards, comic, has a new definition for a jitterbug. He calls them 'a convulsion that made good.'

Milwaukee Antes 30G for Concerts; Pons-Kosty, 3 1/2G

Milwaukee, April 30.

Although the official economy axe is doing its work in many community activities, it is not being permitted to cut into Milwaukee county's venture into the show business, and approximately \$30,000 will be expended this year on the third annual 'Music Under the Stars' series of eight performances. Radio, picture, opera and concert stars will all get a slice of the dough for their appearances at Washington Park in the \$100,000 band shell given to the city by Emil Blatz, retired music loving brewer.

Richard Crooks will open the series on June 25, to be followed July 2 by Jean Dickenson, July 9 by Donald Dickson, July 23 by Lily Pons and Andre Kostelanetz, July 30 by James Melton, Aug. 6 by Albert Spalding and Diana Gaylen, Aug. 13 by John Charles Thomas, and Aug. 20 by Florence George and Allan Jones.

Lily Pons and Kostelanetz are the biggest salaried attraction on the list, and will collect \$3,500 for their evening's work.

Don Griffin, county recreational director, is in charge of the shows, for which the orchestral music will be provided by the Wisconsin WPA Symphony orchestra, directed by Dr. Sigfrid Prager, except for the Lily Pons night when Kostelanetz will be guest conductor.

As many as 50,000 people have been drawn to a single concert in the past, many of them free admissions, and the rest at nominal fees as a cultural community project.

20TH-FOX'S SECOND ANTI-NAZI BOOK BUY

After delaying production on 'I Married a Nazi' because of changing political tides in Europe, 20th-Fox this week purchased another anti-Nazi novel, 'Rogue Male,' Book by Geoffrey Household, was published in England about two years ago and republished in America under the tag 'Man Hunt.' Fox paid about \$12,500 for it. Kenneth Macgowan will produce.

Although the book doesn't name Hitler, the indication is clear. It's one of the few anti-Nazi properties purchased in Hollywood since the war abroad began.

Fox last week also purchased a best-seller, 'Chad Hanna,' by Walter Edmonds, for \$50,000. A circus story, it was originally a Satevepost serial under the title 'Red Wheels Rolling.' It's an American period piece, expensive to make, and will be a top-budgeter. Edmonds is the author of 'Drums Along the Mohawk,' which 20th also bought.

War Jaxses Schedule

Hollywood, April 30.

'I Married a Nazi,' war picture on the 20th-Fox production schedule, has been held up while the studio execs study the sudden military and diplomatic breaks in Europe. It is feared that the story may be blown up before its release dates by international fireworks.

Meanwhile, 'The Return of Frank James' is moving in to replace 'Nazi' on the Westwood shooting slate.

A. & A. East 3 Weeks

Hollywood, April 30.

Amos 'n' Andy cloud-hopped east last weekend to pass three weeks in Chicago and New York visiting friends and catching the Broadway shows.

Bill Hay went along to keep the soup warm.

Katharine Cornell to Be A V.P. of Williams' Home

Annual meeting of trustees of the Percy Williams Home, 'Pineacres,' will be held Saturday (4) at the estate, located on Suffolk Lane, East Islip, L. I. An executive officer, will be named to replace the late Major Bernard Reinold, who was also second vice-president. Katharine Cornell has accepted the nomination for the post and will be the sole feminine officer.

Home is conducted by a board of trustees, six from the Lambs and six appointed by the Actors Fund. Trustees appoint the officers and directors, one or two replacements being due this year because of expected withdrawals.

Officers expected to remain: A. O. Brown, president; Walter Vincent, vice-president; Sam A. Scribner, treasurer; Jacob I. Goodstein, secretary. Present directors: Daniel Frohman, Richard Herndon, Harry G. Summers, Edwin Milton Royle, William Gaxton, Raymond Peck, John Hayden and Edwin Burke.

There are 37 guests, virtual capacity of the home.

Mae Murray's Son Will Remain With Upstate Family Until July 2

Albany, N. Y., April 30.

Black-haired, black-eyed Koran Mdvani, son of Mae Murray, actress, will be allowed to continue living with the Cunnings family at Averill Park until July 2. Supreme Court Justice Francis E. Bergen Thursday (25) adjourned until that date the second court effort of his blonde actress-mother to get his custody.

Daniel H. Pryor, attorney for Bessie, John and Cortland Cunnings, resisted immediate hearing on the habeas corpus petition because it would adversely affect the 13-year-old boy's school work.

Edward S. Rooney, Miss Murray's attorney, said he didn't see how that could be, but that a hearing now 'would work a hardship on my client' and that, anyway, should she win her son's custody, she would be willing for him to remain with the Cunnings for the balance of the school year.

Koran was in court Thursday with the Cunnings as Prior told how Miss Murray's second effort to get custody of the boy upset him.

The day after the writ was served on the Cunnings, Prior told the court, 'the boy had to spend the day in bed. He has nerves like the rest of us.'

Prior asked the dismissal of Miss Murray's petition on the ground it fails to comply with conditions imposed by Justice Bergen at the conclusion of the first hearing. In that decision, Justice Bergen denied Miss Murray custody of her son until she was able to show she was financially able to maintain a home for him.

Prior charged the \$400 a month awarded Miss Murray by a California court 'is only temporary, and I do not think it meets the conditions of the previous decision.'

Rooney argued 'it is in effect and is enforceable because payments are being made under it.' He said that while Miss Murray's former husband, Prince David Mdvani, has appealed the award, 'it is my best opinion it will take two years to get the matter decided and meanwhile the New York courts must give the decree full faith and credit.'

ARRIVALS

Toni Noviska, Noel Coward, Sir Robert Mayer, Johnny Miller, Mrs. M. L. Boyer Rossignol, Mona Maris, G. T. Cameron, Robert J. Unanue.

SAILINGS

April 27 (New York to Genoa), Giuseppe DeLuca, Quentin Reynolds, Ettore Panizza, Count Alberto Del Bono (Conze di Savoia).

April 27 (New York to Bermuda), Frank Gervasi (President Roosevelt).

April 26 (New York to Caracas), Chicago Municipal Opera Association company including Miguel Nicastro, Jan Kiepura, Virgilio Lazzari, Genaro Papi, Desire Defrere, Pietro Cimara, Enrico Clausi, Giuseppe Manachini, Walter K. Stafford, Lola D'Ancona, Edis de Philippe, Georgette Bourdon, Ella Fiesh, Milla D'Arte and Ruth Page (Santa Rosa).

April 24 (Los Angeles to Honolulu), Bette Davis, Bob Taplinger (Monterey).

Going Places

By Cecelia Ager

'One Million B. C.' Too, Too Prophetic

One million years ago, even as today, it was the blonde female who got 'em. Brunet diehards need only look at 'One Million B. C.' to verify this statement. Surely nobody can doubt a picture that's got a professor who's Conrad Nagel behind the beard.

One million years ago the blonde female didn't get 'em only because she was blonde, but just as today, because she was smarter, nicer, kinder, brighter, and more deserving. One million years ago she knew just how a girl's bathing suit was going to look in 1940, that's how smart she was. One million years ago the brunets didn't know what Hedy Lamarr was going to wear, for instance.

Of course, in 'One Million B. C.' there was only one blonde, Carole Landis, and that didn't hurt her chances. But also, Miss Landis could cook. The specialty of her cave was the Manhattan chowder, with vegetables, not the Boston kind, with milk, only because there were no cows, just dinosaurs.

The dinosaurs used to stand behind the steam from a temperate geyser and look at Miss Landis, and she would look back at them through the same sort of mist, for if she could see them too clearly, she might begin to think they were real, and they might get scared of her for the same reason.

In the manner of the blonde of today, Miss Landis would not take no for an answer, but in addition, Miss Landis wouldn't know a no if she heard it, because nobody ever said it. (Nobody, bless them, ever said anything.) She could have thought it up, but intuitively she sensed it would be a dangerous word to get around. She was trying not to be a cave woman any more; she wanted to be more refined, and one word might lead to another.

Strange Spiritualism in 'Strange Cargo'

Whenever Cecil de Mille yields to the evangelist that's in him and makes a spiritual picture, he always sees to it that the thing he disapproves of, sin, is set down in specific detail. He realizes that in order for his audience to appreciate the goodness of spiritualism, he must first acquaint them with what spiritualism is up against, that is, the badness of carnality. He wants them to be sure to recognize the badness, so he lets them have it, but good.

Thus the deshabille, wine-quaffing and helling around that go on in Mr. de Mille's spiritual pictures are there, so the audience will decide how much nicer modesty, teetotaling and decorum are. Mr. de Mille has taught the picture audience to expect that when they're going to be uplifted, they shall see what they're uplifted from.

The boxoffice response to Mr. de Mille's spiritual pictures has proved that lots of people like to see what they're being uplifted from, and so the Capitol theatre's press campaign for 'Strange Cargo' took the form of stills of Joan Crawford and Clark Gable in the horizontal, with absolutely no comment, suggesting that here was a juxtaposition to strike even an advertising copy writer dumb.

A goodly number of people cannot be blamed, therefore, if they jumped to the conclusion that 'Strange Cargo' must be in the de Mille spiritual groove. Their disappointment in finding that those promising stills had no counterpart in the film could be no greater than that of the picture's producer, and their haste to warn their friends that 'Strange Cargo' tells only one side of the story that the tradition of the spiritual picture demands it tell both sides of—can be no swifter than the speed with which the buck for 'Strange Cargo' has already doubtless been passed.

'Strange Cargo's' unnatural reticence only shows how destructive it is for a spiritual picture to permit itself to become afflicted with a little good taste. For whereas the de Mille spiritual picture slambang around with purple sleeve-holders on its shirt sleeves, it's plain that 'Strange Cargo' has been to college and has learned just enough to shake its confidence in itself. It's taken Art 1-A and gotten all mixed up. It's heard about understatement—a terrible thing for a picture that has Gable and Crawford and a jungle, to hear. It's so inhibited by its education, the actors speak as quietly as if their lines were literature and act with such artistic reserve it's all one can do to remember they're killer convicts and not boy scouts doing nature study of a Sunday afternoon. The sun never breaks through the clouds to form a suspicious circle around the Stranger's head, and if it weren't for the fact that Miss Crawford's skirt got torn in the correct places, she might have been somebody's sister come along on the hike.

McCall's Radio Unit Idea

Hollywood, April 30.

George McCall, who is also up for the post as local rep for forthcoming new PM daily in New York, has been approached by Mike (Fanchon & Marco) to tour at the head of unit in picture theatres.

Unit would be a switch on the usual run of Coast personals, McCall using the same array of people as on his air show, namely, stunt workers, singing and dancing doubles, soundmen, etc. The idea will be out, however, if the PM connection goes through.

N. Y. to L. A.

Howard Dietz.
Richard Greene.
Jesse L. Lasky.
Al Lichtman.
William F. Rodgers.
Herb Rosenthal.
Gene Tierney.

L. A. to N. Y.

Irving Asher.
David Blankenhorn.
Hoagy Carmichael.
Gerald Cook.
Charles Correll.
Melvyn Douglas.
William Goetz.
Mack Gordon.
Freeman Gosden.
Louis Hyman.
May Kelley.
Mitchell Leisen.
Tom Lewis.
Anatole Litvak.
E. J. Mannix.
Helen Mack.
Frank Perry.
Irving Rapper.
Florence Rice.
James Saphier.
Robert Wilcox.
Harry Wurtzel.
Darryl Zanuck.

Billie Burke's Estate Brings 36G, Cost 250G; Ziegfeld Died Broke

When the former millionaire showman Flo Ziegfeld died in 1932 he was broke, and when the final count was in, his estate's liabilities approximated \$500,000. Understood that the stock market crash cost him \$1,800,000, causing his financial ruin. Administrators of his estate sought every angle to recapture assets, which did not include the property of his wife, Billie Burke, who built a 19-room mansion at Hastings-on-Hudson, N.Y., which was sold at auction Monday (29).

Miss Burke, who resides in Beverly Hills, Cal., had previously declared she could not again occupy the home where she and Ziggy lived following their marriage in 1914, because of the memories associated with it. Their daughter, Patricia, now married, was born there. The main house, an 11-room brick structure built for her mother by Miss Burke, a cottage garage and swimming pool, designed by the late Joseph Urban, were bid in for \$36,000. Estate is assessed at \$148,000 and is said to have cost \$250,000. In addition to the buildings and grounds, some 300 personal items, furniture and hangings brought modest amounts, the total being \$6,000.

Paley's Coast Siesta

Hollywood, April 30.

William S. Paley, CBS prez., is shuttling between Arrowhead Springs and Beverly Hills on vacation from official duties. He showed up at KNX only for a few hours the other day.

N. Y. PROD. BUBBLE BURSTS

Louisville's Usual Pre-Derby Day Splurge on Talent, Bands, Etc.

Louisville, April 30.
Usual pre-Derby (4) activity is getting under way in this town's night spots, with new bands and floor shows in the larger locations, and plenty of smaller clubs either reopening, or installing live talent to mare the Derby coin.

Iroquois Garden is making a splurge, with Lou Holtz heading a show consisting of The Duffins, Evelyn Farney, Joan Jordan and Leonard Keller's orch. Show is set for May 2-4. Club Greyhound, across the Ohio River in Jeffersonville, Indiana, opened Tuesday (30). Spot is featuring a theatre-restaurant idea and bill is made up of Diane Denese, Three Freshmen, Pierre and Charise, Carroll and Sherrod, and Duke Moffett's band.

George Wald's orch returns to the Brown, to play in the Crystal Ballroom over Derby weekend, while Jack Deekman's Southernaires continue in the Bluegrass Room. Several of the smaller clubs are bringing in enlarged floor shows, including the Silver Slipper, Flamingo, Terrace Gardens and Crystal Terrace.

RITZ BROS. AND U SET ON NEW DEAL FOR 2 PIX

Hollywood, April 30.
Arbitration of the Ritz Bros.' contract with Mayfair Productions, for Universal release, was called off by mutual consent and the freres signed a new pact to make one feature for Mayfair and one for Universal direct.

Legalites had been called in when the Ritzes walked on 'Boys From Syracuse' and arbitration was ordered. Brothers charged Mayfair bought the stage play for them but so revised the script as to relegate two of the trio to unimportant roles. Joe Penner was given the lead when the brothers left the lot.

Jules Levey, ex-RKO sales exec, is marking his production debut with 'Syracuse.'

Hersholt Asking For Radio Salary Boost

Jean Hersholt is asking for a substantial salary boost in the event Chesebrough (Vaseline products) elects to pick up his radio option for the fall. The screen name has one of those tickets which makes no future money stipulation, and the coin he has been getting for the past season has been of moderate proportions, considering the rating his program, 'Dr. Christian,' has run up.

McCann-Erickson is the agency on the account.

Pall Mall After Astaire

Hollywood, April 30.
Fred Astaire is being sounded out by Young & Rubicam on a return to radio. Pall Mall cigarettes is interested.

He has avoided the kilocycles since foldup of Packard show two years ago.

BOTH CAREYS IN STRAWHAT

Harry Carey, now in 'Heavenly Express,' legit, has been offered a summer season in Skowhegan, Me., production of 'Ah, Wilderness.' His 20-year-old son, Dobie, has a bid to go into the play with his father.

Dobie next week joins the Transportation show at the World's Fair, N. Y., as a singer.

Cleaning It Up

Hollywood, April 30.
A purist version of Arch Oboler's 'Adam and Eve' radio skit, which reddened many faces two years ago and closed the kilocycles to Mae West, will be performed Saturday night (4) at Radio Writers Guild ball. Oboler will play the snake. It will not be broadcast.

CHARLES BOYER FAVORS SERIAL SETUP

Charles Boyer may do a serial when he comes back to his Wednesday night spot on the NBC-red this fall for Woodbury. Boyer doesn't like the program's present policy of a different story and set of characters each week and he would have something in which he could develop a permanent characterization. His agents, Feldman-Blum and General Amusement Corp., agree with him and would like to sell the next series on a package basis. Script mentioned in the recent talks with Lennen & Mitchell, agency on the Woodbury account, is 'Dr. Hudson's Secret Journal,' by Lloyd C. Douglas, author of 'The Magnificent Obsession' and 'The Green Light.'

Meiklejohn at Par To Boss Talent, Casting

Hollywood, April 30.
William Meiklejohn steps in next Monday (5) as new head of the combined casting and talent departments at Paramount. Combination of the two departments is in line with the streamlining policy recently adopted by Y. Frank Freeman, vice-president in charge of studio operations.

John Zinn, business manager of the studio's casting and talent departments, remains on the job. Arthur Jacobson, talent head, stays with the company in another capacity.

Meiklejohn, who organized the MCA agency's film department, and has been its head for two years, resigns to join Par.

RCA's Ship-to-Shore Tele for Fair Debut

Opening of the N.Y. World's Fair not only will be televised by NBC-RCA but details are being worked out whereby the President Roosevelt, U.S. liner, will be able to pick up the program. Ship sails on its run to Bermuda at 3 p.m. on the exposition's opening day, making possible reception by sets aboard the steamer up until about 9 o'clock that night. Also a telecast from the ship as it nears the end of its journey is being framed for pick-up in Bermuda.

RCA engineers will make the trip to Bermuda a week before the program to install and check equipment on the boat and ashore. Television engineers will demonstrate the equipment to the governor and other officials in Bermuda at the end of the May 11 trip.

Cukor Draws Katie

Hollywood, April 30.
George Cukor gets the director job on the Katharine Hepburn starrer, 'Philadelphia Story,' at Metro.

Pair previously worked together in 'A Bill of Divorcement' and 'Little Women.'

EMPIRE TRUST MAY RAZE STUDIO

Bank Refuses to 'Go Into the Picture Business' and Chases Hecht and Nat Ross West

A 100% CHILLER

Production of feature films in New York, which a couple weeks ago appeared a bright possibility, now faces a fate darker than a European minority. Two pictures which were all set a fortnight ago now will be either scrapped or shifted to the Coast, while Mayor LaGuardia's campaign to bring production east, which started off so belligerently and determinedly last fall, sits by pathetically helpless and leaderless.

Films that will be either scuttled or switched are Ben Hecht's 'Before I Die' and Nat Ross' 'Accidental Father.' Hecht is negotiating to produce his picture on the Coast, probably on the Columbia lot, which will release it, while Ross' situation is pretty much in the air, although he

(Continued on page 54)

ABBOTT-COSTELLO MAY HAVE OWN RADIO SHOW

Bud Abbott and Lou Costello, for the first time since graduating from burlesque to radio prominence, may have their own radio show starting July 3, taking the Bristol & Myers spot Fred Allen is leaving vacant for the summer. The Kate Smith show, which started Abbott and Costello, goes off the air for the summer June 28. Eddie Cantor has been in conversation with Young & Rubicam about taking over the Sal Hapatica spot in the fall.

In taking Allen's time, Abbott and Costello will leave Miss Smith permanently. Young & Rubicam agency will take options on the comedy team totaling two and a half years. They'll be supplemented by a band and vocalist. William Morris office is arranging the deal.

A. & C. play in 'Streets of Paris' at the N. Y. World's Fair this summer.

WRATH OF CAPES

'Toreador' Ire Creates Lawrence-Kiepara Felling-Out

St. Louis, April 30.
Jan Kiepara, tenor, put too much power into his work during a dress rehearsal of 'Carmen' here last week and Marjorie Lawrence, soprano, cast in the title role, accused him of choking her and resented it by kicking his shins. The incident occurred at 12:30 a. m. Wednesday (24) during the last act when Jose accuses Carmen of fickleness for the Toreador. Miss Lawrence said Kiepara exceeded the bounds of propriety in demonstrating his wrath and she not only used the sharp points of her slippers, but vocally expressed her resentment.

Giuseppe Cavadore, baritone, who played the role of Remendado, rushed to the infuriated players and none too gently pushed Kiepara away before further trouble occurred. The principals were calmed down and the rehearsal terminated.

The public presentation, under sponsorship of the St. Louis Grand Opera Assn. in the Municipal Auditorium Thursday (25), ran off without a hitch and attracted 3,200, who paid from \$1 to \$4. Kiepara returned to New York after the performance.

N.Y. Fair All Set to Go, With Midway 100% Booked; Unlike Situation in '39

Record in Bows

'There Shall Be No Night,' which opened at the Alvin, N. Y., Monday (29), was accorded 20 curtain calls, which about sets the record for the season. Alfred Lunt made a short speech, saying he and Lynn Fontanne had been anxious to appear in the play. He regretted the absence of Robert E. Sherwood, play's author.

Sherwood's 'Abe Lincoln in Illinois' two seasons ago evoked similar audience reaction the first night and got 21 curtains.

There was a continuous line at the Alvin boxoffice yesterday.

CHARNAS' BIG H'WOOD SPORTS CENTRE

Hollywood, April 30.

Old Warner Bros. lot on Sunset Blvd. is to be converted into a sports center costing \$2,000,000. Harry Charnas, former Warner's theatre chain operator, heads project.

Plans call for moving Leon Schlesinger's cartoon studio and Warner's radio station KFWB off the site to make room for an ice rink, ballroom, under-glass swimming pool, and rifle pistol range.

Charnas will add 47 alleys to his present 52-lane bowling center. Minor sport pavilions will be built for lawn bowling, archery, fly and bait casting, curling, codeball, tennis, badminton, squash and handball. Spot will be for participants with little space given over to spectators.

Ballroom will have capacity for 10,000, with only name bands booked.

Garfield in Line For 'Dreben' Role at 20th

Hollywood, April 30.

John Ford gets the director job on 'Sergeant Sam Dreben, U.S.A.,' at 20th-Fox, following his current job on the Argosy picture, 'The Long Voyage Home,' for United Artists release.

Role of the American Jewish soldier of fortune may be played by John Garfield, on loanout from Warners. William Anthony McGuire is doing the script.

Royal's S.A. Trip

John F. Royal, NBC program chief, leaves May 12 for South America to put the finishing touches on Arturo Toscanini's concert tour, skedded for June and July.

Royal will do all his traveling by air. The opening concert will be in Rio de Janeiro June 12.

LeMaire at Col.

Hollywood, April 30.
Rufus LeMaire, talent agent, has been inked to a pact by Columbia.

He has been assigned to the production staff to handle special casting.

METRO TAKES TONY MARTIN

Hollywood, April 30.
Metro has signed Tony Martin to a term contract. Singer is under commitment for two pictures at Columbia.

With all of the hectic labor disputes of the last two weeks cleared up, the N. Y. World's Fair has easy sailing to the opening day (11) of its second season. From all appearances of the grounds and buildings, the expo should be virtually 100% complete when the gates reopen, an entirely different picture from last year's incomplete debut.

Most startling changes will be in the Gay White Way (amusement zone), this sector being many times brighter in aspect than in 1939, plus much more diversity and quality in entertainment and concession. Fair officials, in fact, are looking to the midway, plus the lower 50c gate, to 'make' this year's running possibly even exceed last year's total paid attendance of 25,817,365, admittedly disappointing in view of original estimates that ran as high as 60,000,000.

Repeaters

Glamorizing of the midway is virtually 100%, with girl and production shows from one end to the other. Repeating is Billy Rose's Aquacade, Sun Valley and Morris Gest's Miracle Town, but from there on virtually every important show is new. Michael Todd's four spots are all important to the midway's generally sex-appealing picture. Gay New Orleans, for instance, will grind three shows staged by Hamard Short, plus reproducing New Orleans (Continued on page 55)

FLORENCE GEORGE HAS OPERATIC AMBITIONS

Florence George (Mrs. Everett Crosby), who arrived in New York a month ago from the Coast, has a busy schedule lined up for the summer. The former film actress is studying singing with Frances Alda, preparatory to launching a full time operatic career. In the meanwhile negotiations are being conducted with the Shuberts for a fall revival of 'Tonight or Never,' starring her. She plans guest shots on the Kraft hour in the fall with her brother-in-law Bing whom her husband manages.

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Paul Raibourn of Par Stresses Why Film Co. Bought Into DuMont; Protection Against Future Squeeze

Twofold purpose was behind Paramount's buy into DuMont Television, it was frankly revealed by the picture company this week, following reports from Washington that the FCC is about to do some behind-the-scenes quizzing into the tieup between films and radio. Paul Raibourn, for many years an assistant to the top execs of Paramount and treasurer of DuMont since Par began to pour money into it in 1938, told VARIETY on Monday (29) that reasons for Par's interest are:

1. Desire to make sure that the film industry is not squeezed out of this new form of entertainment which it believes it can handle as well as radio. Raibourn said that patent monopolies squeezed the film industry early in its development, then squeezed it again when sound came in and Paramount is determined now that it's not going to be squeezed again.

2. Desire to direct DuMont's experimental activities along the line of projection of television in theaters.

Raibourn declared Par does not have a controlling interest in the visio company, but only an investment. He said Par for a long time was trying to find out what radio-television was all about, and finally discovered that the only way it could learn anything was to buy into one of the existing companies, which it did.

Better Definition

He also revealed that Par has been experimenting with the production of films designed to give better definition when televised. These have not been especially made, but are regular shorts negatives printed by a special process. They have been supplied on demand to RCA, Philco and other companies for experimental purposes only. Except in rare instances, Par has refused permission for their use in regular telecasts. Raibourn would not reveal how many such special prints have been made, but said Par has been doing experimental work along this line for about two years.

Desire to protect exhibitor interests in development of large-screen television is the reason back of DuMont's efforts to have the FCC standardize 15-frame transmission instead of the 30 for which RCA has been clamoring. Raibourn declared, "He termed the appellation 'slow motion television,' which has been applied to the 15-screen variety as 'nonsense.'"

Principle involved, he said, is that in a wave band of a set number of cycles (6,000,000 has been assigned by the FCC to visio) the fewer the number of frames per second the greater the number of lines of definition are possible. Greatest number of lines feasible with the 30-frame brand is 441 per inch, which RCA is attempting to standardize. This number is satisfactory for a small home receiver, but when magnified on a full-size screen the space between the lines becomes highly visible.

LUM AND ABNER PIX BECOME RKO SERIES

Hollywood, April 30. George J. Schaefer, RKO prez, has okayed a plan to extend Lum and Abner's one-picture deal into a series. First is "Dreaming Out Loud." Producers Jack Votion and Sam Coslow are now seeking material to fit the bucolic characters in the future features.

It Better Be Good

Hollywood, April 30. First scripting job for Frank Nugent, former drama critic for the New York Times, is "Lucky Baldwin," a tale of the California pioneer and horse owner. Picture (20th-Fox) is a \$1,000,000 budgeter.

Beery's Western

Hollywood, April 30. Richard Thorpe draws the direction on the Metro picture, "Wyoming," starring Wallace Beery. Producer is Milton Bren.

Tommies Favor Deanna

London, April 16. Autographed pictures of film stars are in such great demand by the forces overseas that the present supply of Hollywood stills in England has been exhausted. Deanna Durbin leads preferences by six to one. Next to her is Dorothy Lamour, followed by Sonja Henie, Elizabeth Allen, Olivia de Havilland and Hedy LaMarr in that order.

Report Meehan Selling Out In KAO; \$3,000,000

One of the initial moves in carrying out the recapitalization plan for Keith-Albee-Orpheum Corp. yesterday (Tuesday) was reported near consummation with Mike Meehan reportedly offering to dispose of the bulk of his KAO preferred shares for \$3,000,000. Understood that the price was agreeable to RKO and likely would be accepted by the company. W. J. Merrill, RKO vice-president actively in charge of finances now for the company, was absent from the city and KAO officials reached would not admit the deal was near completion, or that a definite price had been quoted.

The exact number of KAO preference shares held by Meehan and his associates is not known, but the latest report listed 25,000 in his name. This total would mean that more than \$112 per share was Meehan's price. Idea back of the move to return bulk of outstanding KAO shares to the RKO treasury is to permit the parent picture company to benefit from steady earnings shown in recent years by KAO.

KERN-FIELDS ON U. 'RIVIERA' MUSICAL

Hollywood, April 30. Earl Derr Biggers' old novel, "Love Insurance," is coming out in picture form as "Riviera" at Universal as a starrer for Allan Jones.

Play is listed as a top-budget comedy with music, to be written by Jerome Kern and lyrics by Dorothy Fields. Start is slated for July.

Harry Gold Will Become General Salesmanager of United Artists

Harry L. Gold, eastern salesmanager of United Artists, has been chosen for the post of general salesmanager by Murray Silverstone, chief of world-wide operations. It is learned on high authority. Announcement of Gold's promotion is expected to be made before or at the company's sales convention for the eastern district in New York May 13-15.

UA has had no single sales head for nearly two years, Gold dividing authority with Jack Schlaifer, who is in charge of the western division. Dissatisfaction by producers and other executives with the split rule has forced Silverstone to make the difficult decision between the two men, both of whom antedate the present UA executive regime.

It was reported that selection of a general salesmanager was on the agenda for last week's board of directors' meeting, but it is learned now that the choice had already been made and required no further discussion at that time. Problem confronting Silverstone now is the method of breaking the news to Schlaifer without having him resign. Both the UA chieftain and the owners of the company feel that he

Joe E. Brown OK, Terps To Brother's Band Music

Toledo, April 30. Joe E. Brown, film star, did his first dancing since his severe automobile accident last November when he and his wife visited the Woodland Dixie, night spot near Monroe, Mich., where his brother, Paul Brown, is leader of the band. The Joe E. Browns visited Toledo for a few days en route to N. Y. for the radio performance of "The Milky Way," for which the comedian has been set.

Detroit-and-Windsor's 10% Border Trading May Be Curbed by Can.

Detroit, April 30. Cross-the-border trading, a handy device between Detroit and Windsor, will continue to be pleasant for Americans, but the bitter bite has been put on Canadians. The latter have been accused of being dollar profiteers and commuting from one side of the border is going to dwindle.

The 10% difference in exchange rates has brought on some funny things. Windsor and other border cities have had a persistent hypo of business with Detroiters carrying their cash across the line to get the increased value out of their money and Scotch untaxed. And Canadians have been chumming on the other side to pick up little items that came much higher at home.

In fact, here where a bridge, tunnel and ferry link the two countries across a narrow river, even the picture business caught a healthy exchange. Canadians swarmed across to see the March of Time, "Canada at War," banned in Ontario. And Americans were going to return the compliment when "Primrose Path" and "Strange Cargo," banned here, were shown on the other side of the river.

But the Canadians are going to be denied this merry exchange. Speaking in Windsor, Graham F. Towers, governor of the Bank of Canada, denounced Canadians who work in Detroit and dispose of their dollars on the open market instead of selling them to the Foreign Exchange Control Board.

Pointing out the practice was a violation of the law, he said that stricter measures would be imposed against the practice of "bootlegging money." Canadians, he warned, are going to have to prepare for spending their money for shells, guns, ships and airplanes rather than for private purposes.

He was entirely forgetful of the amount of American dollars which were crossing the border where they wouldn't have come if the exchange rates weren't off. The theory seems to be the American dollars are sponsoring industries and occupations which are detracting Canadians from the more serious business of winning the war.

Day of 'Medium' Pix Past, Selznick Believes; Defends UA Pub-Ad Setup

Out of the Shadows

Hollywood, April 30. Thirteen screen and stage names of bygone days have been brought back by W. S. Van Dyke to act in "I Love You Again" at Metro.

On the list are Julia Faye, Eva Novak, Maurice Costello, Rosemary Theby, E. Mason Hopper, Philo McCollough, Larry Wheat, Fritz Brunette, Cleo Ridgely, Carlyle Blackwell, Dorothy Phillips, Jean Acker and Gertrude Astor.

Vet Producers Walk Plank On 20th-Fox Lot

Hollywood, April 30. Darryl Zanuck expects to complete the streamlining of the 20th-Fox organization about Oct. 1, by which time several associate producers and other high-salaried execs will have washed up their contracts and checked off the lot. Changes are being made to meet new conditions here and abroad, brought on by the war.

Milton Sperling, Ralph Dietrich and Walter Morosco have been upped to associate producer berths and Lucien Hubbard and Fred Kohlmar have been brought in from other studios. Belief is that these new aides will take the places of veteran associate producers.

VALLEE'S COURSE ON HOW TO PRODUCE PIX

Acquisition of his new radio show has delayed Rudy Vallee's short-course at Republic which was supposed, in three months, to qualify him as a producer. He's still working in the cutting room and around the lot to learn about film-making, but the picture he was scheduled to make, "Hit Parade," now is listed on the Rep calendar for production by Sol Siegel.

It's uncertain now whether Vallee will appear in it.

'Lone Ranger' (Filmer) With Wallace Circus

Canton, O., April 30. Lee Powell, the "Lone Ranger" of the talkers, is being featured in the concert of Wallace Bros. Circus, currently in the upper Ohio Valley. Lee was with the same show last season and is drawing big for the aftershow.

Ken Maynard, another western flicker star, will be featured in the concert of this season's edition of the Cole Bros. Circus, along with a cowboy and Indians troupe. Show is due to bow at Rochester, Ind., Friday (3).

Grable's Filmusical

Hollywood, April 30. Betty Grable's first picture under her new 20th-Fox contract is "Say It With Music," slated to roll in mid-summer. Actress, currently in "DuBarry Was a Lady," is due here about July 1.

Other News Pertaining to Pictures

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David O. Selznick, addressing the board of directors of United Artists at a meeting last Thursday (25), declared that the day of the medium-priced picture is past. He said features now must either be made on cheap budgets for program purposes or on top budgets in order to realize their investments. Implication was that under the UA indie-producer setup, by which there is no attempt to make program pictures, company's producers must in the future concentrate on large-scale productions. Board concurred fully in Selznick's ideas.

Producer, who is not a board member but distributes through UA, was a guest at the meeting of Mary Pickford, one of the five owners of the company. In addition to suggesting the type of films to be made, Selznick declared that the pre-selling of them must be stepped up for best results. Murray Silverstone, UA chief, commended the producer as a shining example to the industry for his pre-selling job on "Gone With the Wind."

Selznick also defended the publicity-exploitation setup of UA, which has been under fire for some time by producers who have been demanding a change in administration. He affirmed it is impossible for the department to satisfactorily serve a dozen or more movies as each producer demands a particular job be done for his film. He declared the producers were frequently unreasonable in their demands and admitted that in looking back he could see that he had at times been the same way.

Producer recommended that the pub-ad-exploitation department be subject only to the orders of UA execs and spoke in favor of a newly adopted plan by the company for the hiring of a combination high-priced executive and publicity man on the Coast to keep contact with the producers and to run a bureau which will supply news for planting in local papers to 15 field men. This plan will go into effect June 1. Silverstone left for the Coast day following the meeting to hire the man and discuss with the producers some other suggestions by Selznick.

MINTING PLENTY 5c COINS FOR SLOT GAGS

Philadelphia, April 30. Increase in the numbers of nickel-in-the-slot gadgets in the U. S. has the Philadelphia mint working overtime to manufacture enough to meet the heavy demand.

Nellie Taylor Ross, director of the mint, announced that extra crews were being put on the nickel-making department to catch up. All existing records for coin production are being smashed here.

Last month approximately 18,000,000 nickels were sent out of the local mint along with 2,300,000 half dollars, 2,000,000 quarters, 10,000,000 dimes and about 75,000,000 pennies.

'Grapes' Solo, With Vaude, Breaks Detroit's Dualers

Detroit, April 30. Setting precedent in a town shot through with double bills, including all the first-run downtown houses, "The Grapes of Wrath," of the Wisper & Webster chain of nabes, this week came up with only one film, "Grapes of Wrath." What's more, instead of a broken week the picture goes for seven days.

Mitigating it as a slim offering is the fact the house is providing six acts of vaudeville, a policy adopted with double-features four weeks ago. The chain is continuing split-week vaudeville at the Tuxedo and Oriole with its Tower and Easton to be added to the circuit in the fall.

Abbott on RKO Lot

Hollywood, April 30. George Abbott moved into the RKO lot to set up headquarters for the screen production of his Broadway show, "Too Many Girls." Filming starts in July.

Producer is huddling with Harry Edington on the cast and script.

NAT'L SURVEY ON UPPING B.O.

BLOCKBOOKING MUST GO

Elsewhere in this issue of VARIETY there is published in full the text of the proposals put forward by the Department of Commerce as a basis for a consent decree settlement of the pending anti-trust litigation against major film companies and independent theatre circuits.

The memorandum has been forwarded to the Department of Justice, which in turn has passed it along to leaders of the Allied States organization, who are said to have declared that certain provisions are too vague and that the issue of theatre divorce-ment, which is a dominant point in the Government's suit, is not clarified.

Most of the major film companies have assented to the proposal, although several are determined that they will not participate in a consent decree, however framed, choosing rather to take the issues into court. Trial date has been set for June 3.

Meanwhile, regulatory legislation against the film industry, as presently operated, is pending in Congress.

Whatever the ultimate of the pending litigation or the threatened legislation, the fact seems very apparent that nearly all the troubles in which the film industry finds itself at the moment stem from one source. That source is the trade practice of blockbooking and blind selling of films.

Litigation and legislation will cease when blockbooking and blind selling are prohibited by law.

But no single distributor can stop the practice while his competitors continue.

And no exhibitor can demand the abolishment of blind selling and blockbooking, and at the same time expect to retain for himself certain benefits which the current practices possess. He cannot eat his cake and have it, too.

In the Commerce Department proposal, first paragraph, the major film companies agree to abandon blockbooking and blind selling and substitute in their place a modification of the British trade preview system, by which all films are actually exhibited for sale before any contracts for general exhibition are permitted to be negotiated.

It is a fact that not every film company assented to this suggestion, but only a few disagreed.

The provision is the furthest step in the direction away from blockbooking which the industry voluntarily has taken in 25 years.

Assuming that the consent decree is not acceptable either to all the defendant companies or to the Government, the constructive step to abolish blockbooking and blind selling, already in the record, should not be retarded.

The logical place for the film companies to present their plan and have it enacted into law is at the forthcoming hearing on the Neely anti-blockbooking bill when it comes up before the House committee.

Blockbooking and blind selling must go.

Full text of the proposed U. S. Dept. of Commerce consent decree, for the picture business, on page 13.

MARY PICKFORD'S PROD. ACTIVITY STILL VAGUE

Plans of Mary Pickford to resume production activity are vague, she said Monday (29) in New York, but she hopes to have a film ready for United Artists release by January. She has had several writers working on a story which she owns, but is not yet satisfied with it. She has also had two meetings while in New York with producer of a top Broadway legit hit, offering him a percentage deal to go to the Coast and make a film version of his play, which is being sought by virtually every picture company.

Miss Pickford arrived in New York last week to attend the board meeting of UA, of which she is a one-fifth owner. She plans to remain until around May 12 to confab with Murray Silverstone, company's chief, on his return from the Coast. In the meantime she is going to Toronto, her home town, for a few days this week to join her husband, Buddy Rogers, who is playing an engagement there with his band.

EXHIBS COOL TO PROSPECT

Big and Small Town Review Not Enthusiastic That Extended Playing Time Is the Answer — Brushoff to Increasing Admissions and Exploitation

HIGH SALARIES

Little hope of obtaining additional income out of the American market, to compensate for losses from abroad, is held out to producers by first returns in a national survey of exhibitor opinion begun by VARIETY last week. Sounding out large and small exhibs, affiliates and indies in towns of all sizes, it has been ascertained that the possibilities of upping grosses are pretty slim from the three generally-touted methods of (1) extended playing time, (2) higher admissions and (3) more exploitation.

There's naturally not the same unanimity of opinion in such far-flung portions of the country as Anderson, Ind., and Los Angeles, as was found in the survey encompassing Greater New York, which was printed last week. There is, however, complete accord that admissions cannot be raised. On increased exploitation and longer runs there's some variance, but there can be no doubt the majority is on the nay side. Pittsburgh is the only major standout in favor of the possibility of lengthening playing time. Dominant in all the hinterland opinion is the idea that Hollywood is over-extravagant and must depend not on increased grosses but lower costs. Exhibs appear to think the film-makers much too imbued with the idea that only expensive pictures make money, while the men who show them claim the contrary is often true.

There's also plenty of beefing about high salaries, not of stars but of executives. One Minneapolis indie would go so far as to 'eliminate all production executives getting more than \$25,000 a year—starting with chairmen of the board.'

Other opinions, some more humorous than pertinent, includes that of one Los Angeles exhib that 'producers must stop assuming that a \$150,000 picture is a B and therefore only B effort need be put in it.'

'Big Cos. Make Big Fix'

A Pittsburgh circuit head opines that all producers should be specialists—big companies should make only big pictures and little companies little pictures.

A Minneapolis nabe operator suggests elimination of clearance with downtown, nabe and suburban (Continued on page 22)

Distribs Admit More Extended Runs But Not As Result of Sales Push

'Ziegfeld Girl' First For Berman at Metro

Hollywood, April 30. The Ziegfeld Girl, previously assigned to Mervyn LeRoy, is to be Pandro S. Berman's first production for Metro. Picture hits the cameras about June 15, with an all-star cast. At that time, LeRoy will be tied up with 'Escape.'

U.S. Quiz on Joe Schenck's Bioff Loan of \$100,000

It has been learned that Joseph M. Schenck, chairman of the board of 20th-Fox, has been questioned several times before a federal grand jury during the last two weeks concerning a \$100,000 loan made by him and other film executives to William Bioff, exec head of IATSE Coast studio labor activities. John T. Cahill, U. S. attorney for the Southern District of N. Y., refused to comment on the questioning or to admit that Schenck had been called.

The film executive is not charged with any wrong-doing, but it is reported the Government wants to find out if the money was a loan or a gift, in which case taxes should have been paid. He was also reported to have been questioned on other matters pertaining to his income.

Zanuck, Goetz, Wurtzel East

Hollywood, April 30. Darryl Zanuck, William Goetz, Harry Wurtzel and Mack Gordon head east tomorrow to be away from the studio for two weeks.

Although 20th-Fox production execs say the trip is for the purpose of discussing new product and budgets at the home office, it is believed they have been called east for examination in the government's suit against the industry.

LOACH MAY REVAMP MONO'S COAST SETUP

Complete revamp of Monogram's production setup on the Coast looms with the establishment of T. P. Loach as v.p., director, and treasurer of the company today (Wednesday). Loach leaves his former position as treasurer and v.p. of Pathe Film Corp. to start on full-time basis with Monogram.

Long a trouble-shooter for Pathe, in all its deals with picture company clients, Loach, previous to resigning full duties with Pathe, had been dividing his time between Mono and the lab company in carrying out the work of the treasury department.

Although not admitted so far, Loach probably will survey the studio setup on the Coast and make recommendations for any changes that may be advisable. Pathe Film has a healthy stake in the company, holding a batch of common stock.

Sheehan Recovered, East On New Releasing Deal

Hollywood, April 30. Winfield Sheehan, recovering from a month's illness, leaves for New York next week to arrange releasing outlets for five pictures to be produced independently. He owns the rights to the yarns, already in script form.

Sheehan recently produced 'Florian' on a one-picture deal at Metro.

Films during the past year have been getting more extended runs than at any time for several years back, distribution execs in New York declared this week. Comment was made in reply to statements by a large number of exhibitors in VARIETY last week that extension of runs is impossible. Distrib and production execs have maintained that longer playing time is necessary to increase domestic grosses to compensate for income lost because of the war abroad.

According to Jack Schlaifer, v.p. and western division salesmanager for United Artists, there has been a noteworthy lengthening of playing time during the past year, but it has resulted neither from the war nor from pleas of the distributors and producers for greater grosses. It's been merely a recognition, Schlaifer declared, that it is to the exhibs' own interest to milk all possible out of a film rather than withdraw a moneymaker only because a policy has been set of playing pictures two days, three days or one week.

What the war has served to do, Schlaifer contends, is point up the fact that longer runs are being given pictures. They can be extended still further in some cases, he maintains, but that depends on individual pictures and individual situations with no generality applicable. He is in accord in this viewpoint with William F. Rodgers, general sales head of Metro.

'Policies Being Tossed Out'

'House policies on playing time of pictures are being tossed out,' Schlaifer said, 'and theatres are getting back to the original tendency to keep a film as long as it does business. For a while, too many houses were bringing in films on a moving belt basis, changing them whether there was reason or not. Fortunately we're getting away from that.'

Result of the trend toward longer playing time, the UA sales head declared, will be greater income from big pictures and less income from the smaller ones. He contends that distributors must keep pushing for the extended runs 'because 90% of the ideas in exhibition which exhibitors admit are worthwhile have come about only because they have been forced on them by distributors.'

Complaints of keys and sub-sequents that lengthy holdovers of pictures in prior runs hurts the b.o. is admitted to be partially true by Schlaifer and other execs, although they discount the extent of such injury.

'A moderately long first run,' Schlaifer said, 'will help a picture in the keys by giving it a buildup. Of course, it may be milked by holding it too long, but that seldom happens because theatre overhead is essentially what determines length (Continued on page 22)

GRIFFIS TO SIT IN ON PAR'S STUDIO REVAMP

Hollywood, April 30.

Stanton Griffis, chairman of the Paramount exec committee, due at the studio on Thursday (2) for sessions with the lot bosses on new product and budgets. Russell Holman, eastern production representative, has been here for the past week getting the preliminaries out of the way.

While here Griffis will consult Y. Frank Freeman and Henry Ginsberg on studio retrenchment.

Arthur Out at Par

Hollywood, April 30.

George Arthur resigned as a Paramount producer after 12 years on the lot in various capacities.

Resignation takes effect at the completion of his two current productions, 'I Want a Divorce' and 'A Date With Destiny.'

Kent, in 1936, Opposed Blockbooking

S. R. Kent, president of 20th Century-Fox, has been the industry's chief proponent for the abolishment of blockbooking and blind selling. He has frequently voiced his views on the subject and urged industry adoption of the British, trade-showing, sales system, which is regulated by the Cinematograph Films Act, 1938, an extension of the act of 1928.

In testimony, as far back as 1936 when appearing before a Congressional committee, at a hearing on the Pettingill anti-blockbooking bill, Kent testified as follows:

'I say to this committee if the proponents of this bill believe there is a moral side to it (abolishment of blockbooking), and they really want to cure it, why do they not proceed to cure it? Why not put a bill in here and pass it that keeps us from selling one picture until it has been finished and exhibitors have had an opportunity to see it? Keep the exhibitors from buying it in the same way. And make the exhibitor select it before he buys it, and then he would not have any alibis. I would vote for that bill but I am opposed to this bill because it does not do that, and for that reason I am against it.'

Mr. Pettingill: 'In England, therefore, no picture is contracted for by the exhibitor until the picture actually is produced.'

Mr. Kent: 'That is right. That is what I said to you, Mr. Chairman.'

Mr. Pettingill: 'Now if the motion picture industry can operate and I assume with a profit, in Great Britain, or you would not be there—'

Mr. Kent: 'Yes sir.'

Mr. Pettingill: 'Where the pictures are actually produced before they are sold, why can that be done in England and cannot be done in the United States?'

Mr. Kent: 'That is because of the law in England.'

U. S. Tips Its Probable Prosecution Method, Via 11 Philadelphia Indies; Gov't Again Reiterates No Consent

The Justice Dept. yesterday (Tues.) tipped its hand as to its intentions of presenting its proof of anti-trust activities against the major film companies, and listed 11 Philadelphia independent exhibitors who will be the first to be called as witnesses against the majors at the start of trial on June 3. Revelation how it intends to proceed came in the form of an application to the court, to be heard May 7, by which the Government called on the defendants to produce certain documents it intends to use against the defendants at the trial of the action.

An affidavit of Seymour Krieger, special assistant to the attorney general in charge of the Philadelphia area, disclosed the relevant facts and the names of the first 11 witnesses. They are Harry Fried, Henry Friedman, Allen M. Bonn, Herbert Elliott, William Goldman, George T. Graves, David Milgran, Harry Perelman, David Shapiro, Columbus Stamper and Charles Segal.

The Government seeks, pursuant to rule 54 of the Federal rules of civil procedure, for an inspection of documents which constitute or contain the following evidence: Contracts including deal sheets, clearance or protection provisions with amendments, modifications or alterations from 1928 to date.

This includes some 89 theatres in the Philadelphia area, of which 67 are actually in Philly. Of these theatres, 54 are Warners, 34 are independents, and one is a Loew house. All memoranda, correspondence and written communications, whether interoffice or otherwise, relating to contracts, refusal to license or negotiate for the exhibition of films with respect to these theatres, feature cut-off records which disclose the titles of all features, dates of exhibition, clearance and film rentals charged, are sought.

At the trial of the suit, the affidavit says, the U. S. expects to offer, in support of the allegations, proof of the manner in which each of the defendant distributors dealt with certain unaffiliated exhibitors operating theatres in the Philadelphia area, and the manner in which these same distributors dealt during the same seasons with certain theatres operated by Warner Bros., which were in competition with unaffiliated theatres. The government's proof will consist of part oral testimony, but is principally dependent upon the presentation of written evidence of transactions occurring between the witnesses and the defendants, and between the defendants themselves.

The affidavit concludes with a statement that if this evidence is not turned over to the government at least three weeks before trial it will be necessary to halt the trial for several weeks to prepare its preparation and presentation.

Wobber on Stand

Also yesterday (Tues.), Herman Wobber, in charge of distribution in the U. S. and Canada for 20th-Fox, was examined before trial. As usual, Robert Wright conducted the examination. The Wobber testimony was not particularly illuminating, as his two associates weeks ago had covered much of the material about which he might have testified.

Wobber told of his entry in the film business in 1908 as the owner and operator of a nickelodeon, and continued through his association with Paramount to date. He owned several theatres which he declared he subsequently sold at a profit. He then described the 12 key cities under his supervision while with Par, and told of how each major owning theatres in that vicinity either acquired or built them. He also told of how in the late 1920s stage shows were holding up the grosses, as production and distribution had fallen off considerably, and unit shows were booked throughout the country in various runs to make up losses. Wobber concluded by declaring he possesses no financial interest in any of the majors, describing the benefits received by the ownership of theatres to producers and vice versa.

These reasons were practically stereotyped by this time. Wobber is the last film company executive to be examined this week and possibly (Continued on page 13)

MAY 13 NEELY DATE ENCOURAGES PIX BIZ

Washington, April 30.

Setting hearings on the Neely blockbooking bill for May 13 as the zero hour for the film industry is close enough to the adjournment-of-Congress deadline to hearten the producers.

While it was admitted that numerous requests had been received from individuals and organizations who want to testify on the subject of block booking and blind selling, the committee 'hasn't had time' to check the Neely correspondence or count up the number of probable witnesses.

With House and Senate solons champing at the bit to get home in time to prepare for the coming elections, most Washingtonians are looking for a Congressional exodus around June 15—if not before. Judging from past performances, the scrap between industry and independent exhibitor forces will last at least three weeks, at the minimum. Close of the hearings and a decision on the part of the committee could hardly be squeezed into the remaining time, it is agreed.

B&K-Par Ruled As Violating Chi 'Consent'

Chicago, April 30.

In a report filed in Federal court, Chicago, Monday (29) by Master in Chancery Edgar Eldredge, Balaban & Katz was held to have violated the 1931 Federal consent decree, but while Paramount, controlling B&K, is held jointly liable, all distributors who were party to the decree were adjudged not guilty. Par controls around 97% of B&K, but, as a distributor, was held to be not guilty of violation.

The other distrib defendants are 20th-Fox, Metro, Warner Bros., United Artists and Columbia. RKO and Universal last fall were removed as defendants, neither of these selling to B&K.

B&K and Par have 30 days to file their exceptions to the report of the Master of Chancery who found that the violation involved paragraph 10 of the decree relating to a prohibition against restraint of trade in first-run exhibition in Chicago.

Coin Just Ain't There, S.A. Pic Boom Fizzles

Hollywood, April 30.

Film revenues from south of the border are largely Mex, take it from major studio execs who have spent a lot of their own time and more of the company coin on tours of Mexico, South America and the West Indies.

Lack of money in the South American countries, resulting in 10c admissions, makes it impossible for a high-priced Hollywood picture to break even down there. New angle to be tried out by Metro and 20th-Fox is to send down big-budget pictures, like 'The Life of Simon Bolivar' and 'Down Argentine Way,' in the hope of getting the carriage trade.

Smiles Across the Border

Hollywood, April 30.

Sol Wurtzel invades Mexico to make a picture, 'Karpa,' for 20th-Fox's 1940-41 program. It is aimed to stimulate the Latin-American trade.

Company will spend three months below the border, using Mexican stage and screen players to support the Hollywood stars.

Studio Contracts

Hollywood, April 30.

Warners handed minor contracts to Suzanne Carnahan and Robert Prina.

Dana Dale inked player pact at Warners.

Metro signed Mauti Grashin to a writing deal.

Warners picked up Maria Wrixon's option.

Universal bought Broderick Crawford's contract from Walter Wanger. Richard Ainsley drew a player ticket at Warners.

Columbia handed Danny Mummet player ticket.

Robert Paige's actor option picked up at Paramount.

Carl Esmond penned player deal at RKO.

FILM FIRMS SET CONVENTION PLANS

With a 1940-41 program that will probably range between 40-45 features, plus eight westerns, Paramount holds its national sales meeting in Los Angeles May 24-25-26. Neil Agnew, who will preside, will go out a week or two in advance.

Convention will not be as elaborate as last year, when also held in L. A. The only salesmen from the various exchanges to go will be those who have hit the 100% stage, selling all their possibilities on the current (1939-40) product.

A home office delegation of executives, company's district managers in the field and branch managers, plus the local studio crowd, will attend, under plans.

Bringing in all its field traveling representatives, branch managers and salesmen, RKO's annual convention in New York May 27-30 will number approximately 250. W. J. McShea of RKO's travel committee, has arranged for a special train from Chicago in on Saturday, May 25, for delegates from the west and portions of the south.

Nixing a national sales convention this year, Metro is holding four regionals, starting with a two-day meet in San Francisco for the far west Saturday and Sunday (6-7). William F. Rodgers, general sales manager, Eddie Aaron, his assistant, and Howard Dietz left for the Coast Monday night (29) to attend the initial meet.

Other regionals will be Chicago, May 13-14; New York, May 17-18, and Washington, May 20-21. Company is planning 52 features for 40-41, same as this year.

Schreiber Carrying On In Gabe Hess' Spot

Although no successor has been picked to fill the general counsel post at the Hays office, left vacant through the death of Gabriel L. Hess, several leading industry attorneys are reported under consideration. General impression in the Hays organization and industry is that the position should be filled at least temporarily by a veteran in film matters because of many problems confronting the picture business currently.

Sidney Schreiber, assistant to Hess, is carrying the burden alone at the present time. One suggested plan is that a member company's chief counsel be loaned temporarily to assist Schreiber until the press of legal business lets up. Some four or five have been mentioned.

Edward A. Sargoy was named to take over duties in connection with legal activities of the Copyright Protection Bureau, and also to represent the distributors in all matters of copyright infringement arising from unauthorized exhibitions. Joseph L. Stein continues as associated counsel to Sargoy. There will be no other changes according to Jack H. Levin, who stays as director of the bureau.

Sargoy served as secretary of the special committee on motion pictures in the extended conferences of various industries on a proposed general revision of the U. S. Copyright law. He is the American collaborator for the projected encyclopedia on copyright to be published in Holland, and known as 'World Copyright.'

Lefty's 'Magic Pictures'—Put 'Em On The Screen and Audiences Disappear

By Joe Laurie, Jr.

Coolacres, Cal., April 30.

Dear Joe:

Well, the bees are kissing the flowers, which means spring is here, and to make it authentic Aggie is all dressed up in her gardening outfit. She's tickling the smiling earth back of our house with a hoe and expects it to laugh back with a harvest of flowers and vegetables. Last year all she raised was blisters on her hands. Personally I am not much on that gardening stuff. I like flowers and vegetables, but I figure the flower shops and vegetable markets can do it much better, and it's easier on the eyes and especially the back.

I celebrated spring by cleaning up the theatre. The way business is these days I can do the cleaning while the customers are in the house without disturbing anybody.

I've been getting a load of those 'magic pictures'—you know, the kind that go on the screen and make the audience disappear. They make for unbalanced shows; there are more people on the screen than in the audience.

I fixed up our air cooling system in case the sun decides to give us a sudden hot-foot. I also cleaned the aisle carpets and have my summer seat covers ready. Aggie sez I'd be better off using customers to cover the seats instead of covers. I also cleaned out my desk in the office. I found a lot of literature the exchange sent me all year telling how wonderful the pictures are I was going to play. When I match up their rosy promises and the receipts I played the pictures to, it proves to me that you can't trust fancy words, especially when they're sent out by picture press agents.

We had the census takers in town and the Chamber of Commerce figures the town must have grown by at least 200 the past 10 years. The way they figure that out is there are a couple of hundred more people on relief.

How to Lose Votes

We're having a hot political battle here too. Our politics in this town are pretty clean; there is only a few manhole covers missing. We have an election coming up to choose delegates to the convention. A large committee waited on me and begged me to run on the ticket, so with a lot of phenagling I got myself nominated. Aggie doesn't like the idea of one getting into politics; she's afraid I'll kiss the mothers and give the babies cigars. I made a couple of speeches and gave 'em plenty of laughs—maybe vaudeville will come back through politics. The only trouble with this running for office business is that to get votes I have to give out a lot of Annie Oakleys to my theatre; then, when they see the show, I lose their votes.

Junior is getting along fine and is growing as fast as a magician's flowers. He picked up a dog who is a sort of canine 'We the People'. We call him Newsreel, because he's got everything in him. Junior claims he is a watchdog, but the mutt is so playful I think if a burglar ever got into the house the mutt would hold his flashlight in his mouth for him. But he loves Junior and Junior loves him so it's okay with us. Y' know a dog and a kid go together like Mickey Rooney and good business.

Well, that's about all I can pound out your way in the line of news. Me and Aggie were sure sorry to hear about Pop and Mom Cameron going 'Upstairs'. They were a couple of grand troupers and sure earned a deed to the Heavenly Homestead. Sez

Your pal,

Lefty.

P. S.—Irving Caesar sez, 'The hands that help are holier than the lips that pray.'

Screen Extras Stay in the SAG, Don't Like Any Change in Setup

Hollywood, April 30.

Question of putting film extras on their own has been turned down by the extra players themselves. At a recent meeting of the Screen Actors Guild council it was said extras did not want any separation from the present setup. Extras are said to prefer to remain with the actors, and issued the following statement:

'A plan proposing autonomy for extras was presented to the Class B council of the Screen Actors Guild by Morgan Wallace, Guild director, and Kenneth J. Thomson, executive secretary, under instruction of the board. The council previously had requested an opportunity to examine any self-government proposal before it was submitted to the membership. "Before hearing or considering the plan, the council passed a motion placing itself on record as being definitely opposed to any autonomy plan for the Class B membership. "Certain council members ex-

pressed the belief that at least 80% of the membership would vote against autonomy. The council also voted to request the board of directors to reopen negotiations with the motion picture producers for the new code of fair practice and the wage scales for extra players which were postponed pending a decision on the autonomy question.'

Screen Writers Guild will demand a minimum wage for scribes in the low-pay brackets. The amount will not be determined until the general membership meeting of the SWG May 8, but the starting figure is expected to be fixed at \$125 per week. There is a possibility that the SWG will seek to establish a double minimum, \$125 for beginners, and perhaps \$150 to \$200 for writers who have had over one year's experience.

No Like 'Apprentice'

The film writers are inclined to shy away from the use of the word 'apprentice.' They prefer to label beginners as junior writers. The question of a minimum wage and the percentage of Guild shop are two of the biggest questions to be settled before negotiations are reopened with the producers early next month.

Adoption of the rotation system in dispensing jobs at Central Casting becomes effective this week, following announcement by Howard R. Philbrick, newly appointed manager to succeed Campbell MacCulloch. Philbrick also announced the appointment of Gerald I. Farman as his chief assistant.

National Labor Relations Board still is trying to arrange a consent agreement for an election of studio clerical workers to designate their bargaining representative, but independent guilds have been withholding their consent. The Screen Office Employees Guild, which claims a majority of 1,700 of 2,500 studio employees, has petitioned NLRB to be certified as bargaining representative for all clerical workers.

3 New Anti-Trust Suits By Indies vs. Interstate

Dallas, April 30.

Three new suits, boosting total of last 10 days to four, were filed here last week by indies against Interstate Circuit, alleging violation of the Sherman anti-trust act. Louis Richer and Mrs. Katie Richer seek damages of \$27,000, plus attorney's fees of \$5,000, revolving about the operation of their Gayety, Fort Worth.

Sam Kirscheimer, of Houston, seeks \$30,000 damages and \$3,500 lawyer's fees in action centering about his North Side, Houston. R. Z. Glass, of Houston, owner of the Fair, Lawn and Knox, Dallas nabes, asks \$68,443 damages and attorney's fees of \$7,500.

Two similar suits were settled out of court recently.

PRIMING DOMESTIC MART

Walsh Resigns As Netco Chain's G.M.; Pooling of Houses Shrinks Circuit

With the Netco circuit in upstate New York shrunk by recent as well as newly-negotiated pools, reducing its size to a handful of theatres, George C. Walsh, president and general manager, has resigned effective today (Wed.). Chain is controlled by Paramount and has theatres in Rochester, Syracuse, Poughkeepsie, Middletown, Newburgh, Peekskill, Yonkers, Glens Falls, and Stapleton (Staten Island).

Majority of the total of 15 houses are to be operated under pooling arrangements, some previously in effect, while the balance will be handled by local managers under close home office supervision.

Circuit is among those in the northern tier of states which are under the operating and film-buying jurisdiction of Sam Dembow, Jr., Paramount theatre department executive who together with Harry Royler, Harold Greenberg and others will be in command from Par headquarters.

In line with the pooling and coincident with Walsh's resignation, considerable shifting is reported. R. W. Stanley, in charge for Netco at Peekskill, will be succeeded by George Kavanaugh, Walsh's right hand man from Poughkeepsie. Henry Hof, of Poughkeepsie, son of the former chief of police there and familiar with theatre operation, will take over the management of the Bardonia and Stratford theatres in that town. Roy Powell remains in charge of the State. Harry C. Stowell, Middletown manager, has resigned.

Separate Setups

Two weeks ago Paramount and Si Fabian organized a pool in Middletown over two houses, with Fabian to operate. Previously the Par, Stapleton, S. I., was turned over to Fabian in view of latter's acquisition of the old Sol Brill circuit covering the island. In Rochester Par is pooled on two houses with Comerford and RKO, while to cover its singleton in Syracuse, the company is pooled with RKO and Schine. Par is similarly removing itself from active operation in Glen Falls, with the Paramount there to be turned over to the Schine circuit. This particular house has been considerably out of reach of the others, being above Saratoga Springs.

Walsh stated Monday (29) that he had sought a partnership with Par over the Netco houses but that the company informed him no additional partnerships were being made just now. He felt, he added, that the territory was not sufficient for him unless he received an interest in the houses through some kind of a partnership arrangement.

No immediate plans being set, Walsh said he would remain in New York for a while, maybe a little later taking a vacation. He owns an interest in the Yonkers setup which is an RKO pool involving four houses.

For many years a leading operating executive, Walsh was associated with the Comerford circuit in Pennsylvania prior to taking over the Netco chain about eight years ago.

In Newburgh, Par's Netco circuit is pooled with Eugene Levy, former independent exhibitor, who has worked in close association with Walsh. Levy will continue in charge of the four theatres in that town which are under his wing.

Moving down from Poughkeepsie Monday (29) to make permanent headquarters in New York, starting today (1) Greenberg will handle booking of the remaining Netco theatres that are not involved in pools, including Poughkeepsie, Peekskill and Newburgh.

A Streamlined Monte

Hollywood, April 30.

Victor McLaglen closed a deal to star in 'A Modern Monte Cristo,' a South African diamond yarn, at Universal. Margaret Lindsay gets the top femme role.

Filming starts May 6, with Marshall Grant producing and Harold Schuster directing.

And Still They Come

Los Angeles, April 30.

John Igual De Montejo, writer, filed a \$400,000 suit against 20th-Fox, charging two Cisco Kid features were lifted from his own stage play, 'The Rebel, or the Birth of a Revolution,' and his screen play, 'Viva Madera.'

Plaintiff asks \$300,000 to cover his losses in money and screen credit, and \$100,000 more as exemplary damages.

FILM CASTING NEPOTISM NOW OUT

Hollywood, April 30.

Nepotism at Central Casting was outlawed when Howard Philbrick, new general manager, decreed 'no person related in any degree to an employee of Central Casting is to receive assignment for extra work, except when some exigency so demands.' Violation calls for summary dismissal.

Philbrick explained the basic problem of too many people for too few jobs still exists. He pointed out \$3,125,000 doled out annually for extra work, if spread evenly among 7,000 extras, income per person would be \$446 yearly which is less than the minimum figure established by Governmental agencies for actual living expenses for individuals on relief.

Reorganization of the bureau resulted in resignation of Bert Hampton, chief caster, with Aubrey Blair replacing.

Par's \$3,874,944 Net In '39: \$6,045,103 in '38

For the year 1939 Paramount showed an aggregate net profit from all operations of \$3,874,944, which would be equal to \$1.08 a share on the company's common stock outstanding. This compares with \$6,045,103 for the year 1938, which did not include approximately \$625,000 as net interest in partially-owned subsidiaries.

The \$3,874,944 total for '39 includes consolidated earnings of Par, after all charges, of \$2,737,533; profit on purchase of company's debentures, \$20,411; net interest as stockholder in partly-owned companies, \$1,117,000.

Balance sheet shows that cash and marketable securities on hand at the end of 1939 totaled \$10,747,860, of which \$1,983,275 represented balances in Canada, \$452,787 in Great Britain and dominions, and \$73,115 in other foreign countries, principally those in S. A. Barney Balaban's report, listing Par's investments abroad (not including Canada), takes account of the war in Europe and points out that while business in foreign currencies has been restored to a reasonably normal basis, the drop in foreign exchange has had the effect of reducing the dollar equivalent on such business.

He added that progress is being made in reducing costs and otherwise in revising the operations of Par to meet the uncertainty of the foreign situation.

Par's investments abroad total \$7,100,000, with about \$5,000,000 of this amount invested in England.

The report states that Paramount has continued its practices of allocating 85% of feature production cost to the U. S. and Canada, 15% to other countries.

ALLOCATE 75% TO U.S. AND CANADA

Revision of Amortization Tables to Shift Greater Majority on American Market — No More of That '40% From Abroad'

OTHER REVISIONS

Because of inroads made on the foreign markets, with doubt as to whether there may be further shrinkage due to war, the major producer-distributors are altering their amortization tables on feature product with a view to figuring the proper percentage of costs to be written off here as against abroad. In some cases distributors are reported setting aside special amortization reserves out of earnings or making added writeoffs as a means of balancing the situation.

However, as pointed out in the trade, there is no knowing just what the losses from abroad will amount to; in fact, what they actually amount to now; nor what the normal value of the 1940-41 product will be in the foreign markets. This shifts each year in accordance with the product; the type of films made for foreign suitability; increase in popularity of some American stars; decrease of others. Distributor officials point out the fact that some companies have various stars that never were any good in the foreign markets, while in some cases there will be three or four pictures of particular appeal abroad that completely changes the percentages.

Also, before war disturbed the markets outside of the U. S. and Canada, profits varied in some cases rather widely among the various majors. In lush years for some, when they had something good for the foreign theatres, they have taken out 40% or slightly more of the whole, while in others it has been much nearer to 20%.

Par Status Quo

While Paramount is not disturbing its allocations on costs between the domestic and foreign markets, Canada included in former, others are doing some juggling. Revised tables or those, such as Par, which remains as is, might be subject to sudden change as the situation abroad shifts. The switch can be more back to normal also, one general sales manager claiming that business has been appreciably restored in both England and France following the sudden drop when the war first began. The principal trouble is the loss on the dollar equivalent due to the drop in exchange as well as to the freezing of money in Great Britain and elsewhere, with other countries likely to follow suit.

Columbia is allocating 75% of its film costs to the U. S., 20% to the United Kingdom and 5% for the remainder of the world in addition to setting up an extraordinary reserve of \$100,000 over six months ended Dec. 30 to meet revenue decline.

Other companies have not broken down the allocations in that manner, usual procedure being to split it between U. S.-Canada and the balance of the world market, although shifting their amortization tables to meet the situation as now looking.

Warner Bros. led the field in being the first to order drastic writeoffs quickly after release. Amortizing is now fixed so that 55% of film costs are written off in the initial 13 weeks following a film's release. Of this, 19 1/4% is written off the first four weeks instead of 15%, as before. This is done largely because rental income is materially reduced in later periods of release. WB also protects itself by including \$551,000 for special adjustment of inventory of released productions as a deduction from operating profit for 1939.

Fox's 53% Writeoff in 13 Weeks
Amortization setup established by 20th-Fox provides that 53% of nega-

(Continued on page 20)

Rather Than Risk Grave Setbacks When War Ends, UA Staging London Sales Parley to Preserve Market

WB De-Horrifying Poe

Hollywood, April 30.

Edgar Allan Poe breaks into pictures with 'Annabelle Lee' instead of 'The Raven,' his outstanding poem. Title is more musical and doesn't sound so much like a horror picture, which accounts for the switch.

Picture goes into summer production as a co-starrer for Jeffrey Lynn and Olivia de Havilland.

MG BRIT. PROD. HINGES ON SURVEY

Hollywood, April 30.

Future of Metro's British production depends on a survey to be made by Eddie Mannix, now on his way to London with Irving Asher to straighten out the financial and economic kinks of wartime lensing. If Mannix finds the situation favorable to shooting, Asher will be placed in charge of all British production, with Ben Goetz handling the business end.

In case Metro disbands its British studio organization, its required quota will be turned over to Robert Kane, who made two pictures for the Culver City outfit after war was declared in September, and before Goetz and Robert Montgomery went over there in February to reopen the production activities. Kane, who is keeping up the 20th-Fox quota in England, asserted when he visited Hollywood recently, that his organization was qualified to do the same for Metro under a special arrangement.

K-A-O First Quarter Net \$312,452; Keith's 209G

Keith-Albee-Orpheum net profit for the first 13 weeks ending last March 30 totaled \$312,452, slightly below the \$327,186 shown for comparable period last year. The first quarter this year was equivalent to \$4.86 on the convertible preferred shares against \$5.09 for the first 13 weeks last year.

Company also listed its net profit for 52 weeks ending on March 30 as \$961,893 or \$14.96 per preferred share. This profit was made after all charges including settlement of lease obligation of \$400,000. Company's profit before depreciation and income taxes amounted to \$560,532 against \$605,929 in the initial quarter of 1939.

B. F. Keith Corp. at the same time reported net profit of \$209,455 for the same 13 weeks this year against \$218,364 in the first quarter last year. This corporation also revealed net profit of \$566,362 for the 52 weeks ending March 30, after all charges.

Keith profit before provision for depreciation and income taxes amounted to \$375,280 while in the first 13 weeks of 1939, the total was \$408,358.

SUPER SUSPENSE

Hollywood, April 30.

'Superman,' the super-human newspaper strip, is about to break into pictures as a super-serial at Republic.

Studio closed a deal with Superman, Inc., for a 15-chapter cliff-hanger.

Decision by the board of directors of United Artists last week to hold an international sales convention in London, and to go after foreign business with the throttle wide open despite blocked currencies and other difficulties, is expected to spur similar determination by other companies.

UA sales confab will be held in London in about two weeks. Arthur W. Kelly, v.p. in charge of the foreign division, will Clipper next week to London, where he has summoned every UA rep in any part of the world except the U. S. who can possibly get there.

Determination to continue after the foreign business in a big way, Murray Silverstone, chief of worldwide operations for UA, declared, results from fear by the board that 'out of sight is out of mind.'

'Customers who don't see you,' he said, 'don't remember you. We don't intend to take any chances on being forgotten. We feel that any diminution of our aggressive sales policy in foreign markets will set us back years and will mean starting all over again when the war is over. It's not going to last forever and we're not abandoning hope or looking at the situation pessimistically.'

Realizes Coin Freeze

UA head admitted that with the coin freezing prevalent in countries throughout the world the company will accumulate lots of foreign exchange, but it will be worthwhile in keeping the markets intact. Kelly will make every effort to get all possible dollar exchange out, Silverstone said, but there are no plans beyond that for use of the blocked money.

Sales activity, he declared, will be exclusive of countries controlled by Germany. 'Wild horses couldn't drag us into Hitler-dominated territory,' was the way he put it.

UA is the only company planning to date to have an international convention. Others will follow practices of past years in holding regional meetings in various parts of the world.

Domestic Sales Confabs

UA last week decided on two domestic sales conventions, one for eastern U. S. and Canada and one for the western part of the country. Eastern meetings, presided over by Harry Gold, v.p. and eastern sales manager, will be held in New York May 13-15. Western confab, under direction of Jack Schlaifer, v.p. and western sales manager, will be in Chicago May 17-19.

WB-Music Union Schism In Philly Waits on Phelps

Philadelphia, May 1.

Thomas J. Williams, mediator of the U. S. Department of Labor, is cooling his heels here awaiting the recovery of Frank Phelps, labor expert of the Stanley-Warner circuit, before starting talks toward settlement of the five-month dispute between the chain and the Musicians Union.

Phelps has been suffering from an eye ailment.

Technicolor Net, \$912,614

Technicolor, Inc., and its subsidiary, Technicolor Motion Picture Corp., net profit for 1939 totaled \$912,614, after all deductions. Dr. Herbert T. Kalmus, president, in his annual report estimated that the net for the first quarter this year totaled \$556,000 as against \$310,468 in comparable quarter last year.

Kalmus also revealed that Technicolor, Ltd., the British affiliate, showed a net of about \$73,328 for the year ending last Nov. 30 (based on \$4 per pound).

Vogel Probably City Mgr. for Loew In Memphis; Theatres and Exchanges

Memphis, April 30. Loew's will reopen the Palace, recently returned to that circuit by M. A. Lightman after a five-year Malco operation, the latter part of May. House is now shuttered and will have a complete remodeling job before reopening. It is expected that Col. Cecil E. Vogel, Loew's State manager, will be upped to city manager in charge of both houses. Policy details are not set. Loew now has Metro, UA, 20th and RKO product to use in the two houses. Lightman shifted his first-run operations to the Orpheum, renamed the New Malco, where he is showing Par, Universal and Col pictures.

Lynch's 20 Years With Schine
Gloversville, N. Y., April 30. George V. Lynch, head film buyer for Schine, marked his 20th anniversary with the concern. He was luncheoned in the main offices of the corporation, Louis W. Schine, treasurer, presenting him with a combination photograph-radio. Lynch rose from assistant janitor to one of the most important and responsible positions in the chain, that of purchasing all films used by the corporation in five States where theatres are located.

Nieme Sole on 1 House
Indianapolis, April 30. Carl Nieme, general manager of the Olson Enterprises, including the operation of the Vogue, Ritz, St. Clair, Oriental and Uptown nabe houses, has resigned to devote his (Continued on page 54)

Film Serializations Can Be Protected By Copyright; Test Case

Washington, April 30. Significant victory, representing potential saving of large sums, was won by 20th Century-Fox in local Federal court Monday (29) through decision requiring Copyright Office to extend protection to serialized versions of film scenarios prepared for newspaper publication. Justice Jennings Bailey directed Col. Clement Bouve, register of copyright, to accept application for collected installments of 'In Old Chicago.' Controversy has been in progress for a long time. First round began when the Register rejected papers covering special treatments of 'Slave Ship' and 'Lloyd's of London,' which also were released for general day-by-day publication as an exploitation stunt. Third rounddown provoked the company into seeking writ of mandamus—in what started as a friendly suit but became a real grudge fight—compelling Bouve to protect the serials. Denial was based on the contention that the proofs, although assembled in a volume which was put on sale in a N. Y. City store, did not comprise a publication intended for the general market. Only way the versions could be registered, Bouve maintained, was by paying the \$2 fee and filing a copy of each installment when it was published.

M. H. 'APOLOGIZES' AS 'REBECCA' STAYS 6TH

Public was given a behind-the-scenes glimpse of the commercial workings of the film business in the display newspaper advertisements placed by the Radio City Music Hall announcing the holdover of 'Rebecca' (Seiznick-UA) for its sixth and last week.

Heading on the copy was 'The Music Hall Management Begs to Make the Following Statement and Apology.' The apology was in explanation why the theatre, which already had announced 'My Son, My Son' to open tomorrow (2), retained 'Rebecca' another week and postponed the new film until May 9. The copy said, in part:

'There exists a rule in this industry—if a picture reaches a certain boxoffice total on the first four days of each week, it shall, unless otherwise arranged, be held for another week.'

Public was not enlightened on the holdover figure which has been set for the 'Rebecca' engagement. It is reported to be around \$55,000 for first four days on the fifth week. It was \$57,000 on the third for h.o. of a fourth. Sixth week of 'Rebecca' establishes a new long-run record for the Music Hall. Previous high was five weeks for 'Snow White.'

24-Sheeting the Briny

Los Angeles, April 30. Warners' antique windjammer, the Sea Hawk, is going on a trip to New York via the Panama Canal to ballyhoo the picture of that name. Ship is being equipped with a Diesel engine and sails about June 15.

Reinhardt-Hearst Sued In Talent Idea 'Theft'

Los Angeles, April 30. Suit for \$100,000 was filed by Frank Walsh against the Max Reinhardt Workshop and Hearst Publications, charging piracy of his advertising and exploitation idea, 'Talent.' Walsh claims his idea was turned down and later used by Reinhardt and the Los Angeles Examiner in a campaign known as 'Talent Opportunity.' He asks \$50,000 for loss of credit and \$50,000 exemplary damages.

METRO'S ELLIS ISLAND PREEM OF 'FLAG' SHORT

As a trailer for the national release of its 'The Flag Speaks,' Metro, on Thursday (25), played host to assorted patriotic organizations at its previewing of the two-reel color documentary at Ellis Island.

Film, which deals with a preachment against abuses of the American flag, has a natural tieup for exploitation angles, being under the auspices of the American Legion. The Legion had suggested its making to the Motion Picture Producers Assn. during its Los Angeles convention, and many other patriotic groups, among them Colonial Dames, Daughters of the American Revolution, Christian Endeavor, YMCA, International Federation of Catholic Alumnae, National Council of Christians and Jews, Boys Club of America and the Army and Navy, all of which were represented at the filming, are also included in the tieup.

CHURCH BLAST ON 'CARGO' BOOMS BIZ

St. Louis, April 30. Church blast against Metro's 'Strange Cargo,' through the agency of a weekly Catholic newspaper, proved a boomerang here and pie finished a week's run at Loew's with an estimated \$16,000—which bettered the weekly average by a nice margin. Using a first page box that looked like an ad by the theatre the tirade called attention to the crusade against the film in Providence, Detroit, Davenport and other towns. It further stated that Catholics had been advised from many pulpits not to see the film and asserted that one of the chief objections was the 'ugly sex angle.' Copy wound up by declaring, 'Opens at Loew's Friday.'

Police Cut Up Nudie Pic
Des Moines, April 30. Police cut 'Children of the Sun' to pieces at the State, East Des Moines, this week. There is no legal provision in Des Moines or Iowa for censorship of pictures although there is a state law prohibiting the displaying of obscene pictures or literature or providing immoral entertainment.

The film, which also bears the subtitle 'French Nudists,' was being shown here by J. Francis Freeman of New York City, who is also known as Frank Friedman. Friedman said the film cost \$100 before it was cut and now it isn't worth 10c. He charged that rival theatre managers induced the police censorship.

'Beau Geste' OK Now in Canada
Regina, Sask., April 30. Banned by censors in most provinces, including Saskatchewan, when war broke out last fall, 'Beau Geste' is now OK for release in Saskatchewan and was recently shown at the Capitol, Regina.

DANCING TEACHERS GET DOSE OF 'IRENE' WALTZ

Large number of dancing teachers from all over the country were given instruction in the 'Irene' waltz at the convention of the Dance Educators of America in New York Sunday (28) through a tie-up with RKO, which is distributing Herbert Wilcox's film version of 'Irene.' Plan is to have the instructors give lessons to their pupils in the waltz, thereby plugging the picture. Mary O'Moore, prez of the DEA, who played the title role in 'Irene' in a southern road company in 1926, told the teachers the waltz in the film 'is the first time it has ever been correctly interpreted on the screen' and urged them to have their pupils see it.

Pre-Derby's Dual Preem; Foster and 'Fave Wife'

Louisville, April 30. Big doings on tap at Bardstown, Ky., small town 40 miles from Louisville on Friday (3), day preceding the Derby. Occasion is launching of new Stephen Collins Foster commemorative stamp at the 'Old Kentucky Home,' and celebs to be on hand will be Postmaster General James A. Farley, Governor Keen Johnson, Senators Alben W. Barkley and A. B. Chandler, and National Committeewoman Mrs. Samuel L. Conner.

Bing Crosby and Al Jolson will be on hand to assist in the dedication and will air over the Mutual web, keying out of WGRC. Bing is slated to sing 'Jeanie With the Light Brown Hair' and 'Old Kentucky Home,' with Jolson vocalizing 'Old Black Joe' and 'Swanee River.' Pat O'Brien and Walter Connolly will also be on hand to take part in the program. Leopold Stokowski will direct his orchestra from Hollywood, airing his own arrangement of Foster melodies. Robert Hutsell and the WHAS studio combo will also be on deck at Bardstown to participate in the festivities and airing.

In addition to the Bardstown affair, premiere of 'My Favorite Wife,' RKO production with Irene Dunne in the femme lead, is scheduled for the Rialto May 3.

PHOTOPLAYS

CAPITOL
Starting TODAY

CLARK GABLE • JOAN CRAWFORD in STRANGE CARGO

THE GIRL THEY'RE ALL TALKING ABOUT!
Lovely Lana, America's Blonde Bombshell, in her latest, most daring role!
**LANA TURNER
JOAN BLONDELL
GEORGE MURPHY**
TWO GIRLS ON BROADWAY

**PREVIEW TODAY
LOEW'S CRITERION**

A NEW TREND IN LEG ART?

Perhaps it is the spring weather, long delayed, which has reached Broadway at last and has pepped up the boys who write the newspaper ads for the first run houses. It may be that long suppressed emotions have burst through restraints. It could be the result of a number of things, but whatever the cause there's a fresh note in the daily announcements.

It has been so many months since a good looking pair of gams has graced a newspaper advertisement that the appearance simultaneously of the underpinnings of Joan Crawford, Ellen Drew and Lana Turner is almost epochal in effect.

In some quarters explanation is made that the midwinter run of films such as 'Grapes of Wrath,' 'The Blue Bird,' 'Pinocchio,' 'Abraham Lincoln,' 'Dr. Ehrlich's Magic Bullet' and 'Dr. Cyclops' represented earnest appeals to intellectual psychic centers.

Current releases are somewhat more fundamental in their approach. Showmen are optimistic that there's better boxoffice potentialities in the recent trend.

Spring Slows Up Chi; 'Benny' Plus McDaniels-Andrews Sis Fine 43G 'Abe' Mild 11G, 'Castle'-Vaude 17½G

Chicago, April 30. Spring fever remains in force to another most of the loop theatrical activities. Theaters have their best foot forward, but the public is not buying. This is taking effect not only on pictures, but also on legit. Figured for a big two-week rick in the Chicago, the 'Buck Benny' slider opened slowly Friday (26) despite added bulwarking on the stage by the personals of Andrews Sisters, Red Skelton and Hattie McDaniel. However, the weekend shone bright enough to bring the people out of their homes, but still cool enough to keep 'em in town. On that weather break, the house managed to perk somewhat from the mild Friday get-away.

Have notices greeted 'Abe Lincoln' in Illinois and Palace is drawing the higher I. Q. mobs on that score. Legit previously had a long run in Chicago, which may help the picture take, but there are not enough high I. Q.'s to keep the picture longer than one week.

State-Lake is having a winning season with 'Castle on Hudson' plus Stanley Fields, Arturo Godoy and Schnickelfritz band on stage.

Estimates for This Week
Apollo (B&K) (1,200; 35-55-65-75) —'Apollo' (20th). Moved here after disappointing week in the ace Chicago. Looks for so-so \$5,000. Last week, 'Kildare's Strange Case' (M-G), fairish \$5,100 for first-run try.

Chicago (B&K) (4,000; 35-55-75) —'Buck Benny' (Par) and stage show headlining Andrews Sisters, Red Skelton and Hattie McDaniel. Started slowly but building on stage show strength and figures for fortnight stay here. Initial period indicates \$43,000, maybe more, which is good but not what was hoped for. Last week, 'Apollo' (20th) and vaude, slipped to meek \$24,400.

Garrick (B&K) (900; 35-55-65-75) —'Virginia' (WB) (2d wk). Second week here and third in loop going to meet \$4,000, following bright \$6,100 last week.

Palace (RKO) (2,500; 35-55-65-75) —'Abe Lincoln' (RKO) and 'Saint Trouble' (RKO). Class appeal looks for mild coin at \$11,000. Last week, 'It's a Date' (U) and 'Half Sinner' (U), finished fortnight to \$8,600.

Roosevelt (B&K) (1,500; 35-55-65-75) —'House Boy' (UA). Looks for unexciting stay, with premiere plans indicating \$8,500. Last week, 'Melody' (M-G), finished second week to so-so \$6,700.

State-Lake (B&K) (2,700; 25-40) —'Castle Hudson' (WB) and Stanley Fields, Arturo Godoy and Schnickelfritz band on stage. Looks for good \$17,500. Last week, 'Blondie Budget' (Col) and Tommy Rigs on stage, good \$16,800.

United Artists (B&K-M-G) (1,700; 35-55-65-75) —'Rebecca' (UA) (4th week). Has proven big winner, going along day to day to solid grosses. Will come through with brilliant \$7,000 for current session after grabbing great \$8,100 in third week.

Weeds (Essaness) (1,200; \$1.10-\$1.50) —'Gone' (M-G) (14th week). Looks to hold beyond May 16, which is closing date for picture in Oriental. At that time policy will likely revert to three shows daily. Down sharply, however, to \$5,500 currently following \$6,100 last week. Capacity around \$19,000.

'Irene' Plus P.A.s, Earns Port. H.O. With \$9,000
Portland, Ore., April 30. (Best Exploitation: Paramount) Almost all houses opened new shows this week in an effort to drag out burg's fans. Oomph Ann Sheridan drawing fair interest for 'It All Came True' at Parker's Broadway. 'Of Mice and Men' is taking the Mayfair up into a higher b.o. bracket.

Personal appearance of Anna Neagle and Herbert Wilcox, director, at the world premiere (25) of 'Irene' at the Paramount drew record crowds. Due to buildup, 'Irene' is scoring bangup first week and is in line to h.o.

Estimates for This Week
Broadway (Parker) (2,000; 30-35-40) —'All True' (WB) and 'Alias Deacon' (U). Getting okay \$5,000. Last week, 'Castle Hudson' (WB) and 'Charlie McCarthy' (U), around \$4,600.

ing nice \$3,500. Last week, 'Rebecca' (UA), closed four-day stand for average \$2,000 after two winning weeks at Broadway.

Orpheum (Orpheum Co.) (1,000; 15-25-35) —'Fugitive Large' (Col) and 'Torpedoed' (Ind) with vaude. Average \$4,000. Last week, 'Dark Command' (Rep) and vaude, fairish \$3,700.

Paramount (Hamrick-Evergreen) (3,000; 30-35-40) —'Irene' (RKO) and 'Free, Blondes' (20th). Answering to bally and Anna Neagle's p.a. for big \$9,000. Last week, 'Husbands' (Col) and 'Man Talk' (Par), second week, \$4,800.

United Artists (Parker) (1,000; 30-35-40) —'Florian' (M-G) and 'One Beautiful' (M-G). Nice \$4,300. Last week, 'Meet Again' (WB) and 'King Lumberjacks' (WB), good \$4,500.

GINGER-VAUDE NEAT \$15,000 IN BALTO

Baltimore, April 30. Somewhat sluggish going here. Best action is at the combo Hipp, playing 'Primrose Path' and vaude. Also better than usual is 'One Million B.C.' at Keith's, ideally located for type of draw peculiar to film.

Rest of town is just limping along. Ball games, horse racing, classic Hunt Cup society race on weekend, all supplying competition.

Estimates for This Week
Century (Loew's-UA) (3,000; 15-25-40) —'House Across Bay' (UA). Not getting far at possible \$7,000. Last week, 'My Son' (UA), attracted steady trade to \$11,400.

Hippodrome (Rappaport) (2,200; 15-25-35-40-55-66) —'Primrose Path' (RKO) plus vaude. Ginger Rogers film attracting steady response to okay \$15,000. Last week, 'Beyond Tomorrow' (RKO), leaning on p.a. of Paul Whiteman, etched out fairish \$12,700 in spite of bad weather break.

Keith's (Schanberger) (2,400; 15-25-35-40) —'Million B.C.' (UA). Has some strength via unusual promotion angles of film. Indicates \$6,500. Last week, 'Black Friday' (U), didn't get far at \$4,300.

New (Mechanic) (1,550; 15-25-35-55) —'Johnny Apollo' (20th) (2d wk). Tepid going to possible \$3,500, after rather unexciting first round to \$4,700.

Stanley (WB) (2,250; 15-25-35-40-55) —'Come True' (WB). Uneventful at possible \$6,000. Last week, 'Dr. Ehrlich' (WB), disappointed with halting \$8,400.

'SINGAPORE'S 2D, BIG \$13,000, TOPS DENVER

Denver, April 30. 'Road to Singapore,' in second week at Denham, continues to top the town and is that theatre's best grosser since 'Union Pacific.' It will stick for 16 days all told, going out because of a stage show commitment.

Estimates for This Week
Aladdin (Fox) (1,400; 25-40) —'It's a Date' (U) and 'Young Fool' (20th), after week at Denver. Nice \$4,500. Last week, 'Rebecca' (UA) and 'Cisco Kid' (20th), after week at Denver, closed with nice \$4,500.

Denham (Cockrill) (1,750; 25-35-40) —'Singapore' (Par) (2d wk). Swell \$13,000. Last week, big \$12,000 on opening week.

Denver (Fox) (2,525; 25-35-40) —'My Son' (UA) and 'High School' (20th). Fair \$8,000. Last week, 'It's a Date' (U) and 'Young Fool' (20th), were good at \$9,500.

Orpheum (RKO) (2,000; 25-35-40) —'Abe Lincoln' (RKO) and 'Kildare's Case' (M-G). Fair \$8,000. Last week, 'Primrose Path' (RKO) and 'Ghost Home' (M-G), about average with \$8,000.

Paramount (Fox) (2,200; 25-40) —'Star Dust' (20th) and 'Half Sinner' (U). Nice \$4,500. Last week, 'Seven Gables' (U) and 'Black Friday' (U), okay \$4,000.

Rialto (Fox) (875; 25-40) —'Rebecca' (UA), after week at each the Denver and Aladdin, and 'Framed' (U). Nice \$2,200. Last week, 'Husbands' (Col), after a week at each Denver and Aladdin, and 'Zanzibar' (U), good \$2,000.

First Runs on Broadway (Subject to Change)

Week of May 2
Aster —'Gone with the Wind' (M-G) (20th wk).
Capitol — '20 Mule Team' (M-G).

(Reviewed in Current Issue)
Criterion — 'Two Girls on Broadway' (M-G) (2d wk).
(Reviewed in Varsity, April 26)

Globe — 'Suicide Legion' (Film Alliance) (4).
Music Hall — 'Rebecca' (UA) (6th wk).

Palace — 'Charlie Chan's Murder Cruise' (20th).
Paramount — 'Buck Benny Rides Again' (Par) (2d wk).

Rialto — 'Bad Man of Carson City' (U) (4).
Rivoli — 'If I Had My Way' (U) (4).

(Reviewed in Current Issue)
Roxy — 'Star Dust' (20th) (3).
(Reviewed in Varsity, April 3)

Strand — 'Saturday's Children' (WB) (3).
(Reviewed in Varsity, April 10)

Week of May 9
Aster — 'Gone with the Wind' (M-G) (21st wk).
Capitol — 'Waterloo Bridge' (M-G).

Criterion — 'Women Without Names' (Par) (8).
(Reviewed in Varsity, Feb. 21)

Music Hall — 'My Son, My Son' (UA).
(Reviewed in Varsity, March 13)

Paramount — 'Buck Benny Rides Again' (Par) (3d wk).
Rivoli — 'If I Had My Way' (U) (2d wk).

Roxy — 'Dark Command' (Rep) (10).
(Reviewed in Varsity, April 10)

Strand — 'Saturday's Children' (WB) (2d wk).

EDISON GREAT \$46,000 IN 2 HUB SPOTS

Boston, April 30. 'Tom Edison' is the town's smash hit, with 'My Son, My Son' turning in very strong tallies. Third week of 'It's a Date' is skidding.

'Grapes of Wrath' is okay in second run.

Estimates for This Week
Boston (RKO) (3,200; 25-35-40) —'Torpedo Raider' (Mono) and 'Show-down' (Par), dual, with vaude, three days; and 'Framed' (U) and 'Laughing Life' (Masco) (reissue), double, four days. Heading for about \$7,000, n.g. Last week, 'North Sea Patrol' (Alliance) and 'Rancho Grande' (Rep) dual, with vaude, four days; and 'Chickadee' (U) and 'Honey-moon Deferred' (U) (both 2d run), dual, three days, with Blanche Calloway added to stage show Sunday only. Under expectations, but good \$11,000.

Fenway (M&P) (1,332; 25-35-40-55) —'Grapes' (20th) and 'Farmer's Daughter' (Par) (both 2d run). Hitting medium gait, around \$5,500. Last week, 'Virginia City' (WB) and 'Philo Vance' (WB) (both 2d run), double, \$6,000.

Keith Memorial (RKO) (2,907; 25-35-40-55) —'It's a Date' (U) and 'Cisco Kid' (20th) (both 2d wk). Slipping. May hit \$11,500 in full week, but run may be clipped short by one or two days. Second week of same combo very big \$20,000.

Metropolitan (M&P) (4,367; 25-35-40-55) —'My Son' (UA) and 'On Own' (20th). Drawing good matinee and evening biz and should hit \$19,000, or better. Last week, 'Cyclops' (Par) and 'Star Dust' (20th), dual, \$13,000.

Orpheum (Loew) (2,900; 25-35-40-55) —'Tom Edison' (M-G) and 'Girls Broadway' (M-G). Opened to staid trade and continuing that way. At this rate, could hit fine \$27,000. Last week, 'Strange Cargo' (M-G) and 'One Beautiful' (M-G) (2d wk), very good \$16,000.

Paramount (M&P) (1,797; 25-35-40-55) —'Grapes' (20th) and 'Farmer's Daughter' (Par) (both 2d run). Promising okay \$7,500. Last week, 'Virginia City' (WB) and 'Philo Vance' (WB), double, \$7,000.

Scollay (M&P) (2,538; 25-35-40-50) —'Virginia City' (WB) and 'Philo Vance' (WB). Continued run from Par and Fenway; in the \$5,000 groove, okay. Last week, 'Cheers Irish' (WB) and 'Mice Men' (UA) (both 2d run), dual, \$5,700.

State (Loew) (3,600; 25-35-40-55) —'Tom Edison' (M-G) and 'Girls Broadway' (M-G). Very strong, around \$19,000 indicated. Last week, 'Strange Cargo' (M-G) and 'One Beautiful' (M-G), second week, good \$12,000.

Dodgers Get Men, 'Rebecca' Draws Femmes, \$85,000 5th Week, Goes 6th; Benny-Krupa 57G, 'NW'-Berle 32G Big

(Best Exploitation: Paramount)
With the Dodgers winning nine straight games, 'Rebecca' going into its sixth straight week at Radio City Music Hall, and the public going mutuels-crazy at the racetrack, it looks like the men are strong for sports and the women for the Dave Selznick brand of sentimentality.

The way the Dodgers are teeing off the season has the whole country rooting for the team. 'Reb' similarly can't stop the women coming to the Music Hall, where at first it looked like three straight weeks, and now will be six in a row. It might even be longer but for a 'must' to bring in 'My Son' next week.

Then again the races under pari-mutuels are drawing surprisingly consistent attendance, with plenty of money being bet. At the Jamaica track Saturday (27) the wagering went over the \$1,000,000 mark, 27,000 attending. Maybe it's a switch on the war, with people getting sick and tired of it all. As who isn't?

'Rebecca,' the answer to a showman's most fervent prayers, will gross \$85,000 or over this week for a total so far of \$475,000. Another round will send it well over the half-million mark, in all probability to more than \$550,000.

No other picture in history on a six weeks' engagement has turned in this much money, not even 'Gone with the Wind' in any of its dates on that initial period. Another record established by 'Reb' is the number of persons who will have seen it on a 42-day run, estimate being around 900,000. Pointing to these figures, showmen rise to emphasize that there are always enough fans to be found for an outstanding picture.

Rental to United Artists on 'Rebecca' over the six weeks at the Hall is estimated at \$160,000 roughly, a record for any picture played by this house. Return to UA-Selznick is topped only by 'Gone' on an engagement of the same length (six weeks).

After deciding to hold 'Reb' a sixth lap, the Music Hall got out 'apology' ads which referred to the trade practice under which a picture is held when it grosses a certain figure the first four days, in other words the so-called control figure. First time so done. 'Reb' also is the first picture to go beyond five weeks at the Hall; 'Snow White' stayed five. No other attraction out of 260 played in over seven years' operation has gone more than three and only 20 have had a 21-day run.

Street otherwise is generally good, though a few are struggling.

'Buck Benny Rides Again' and a stage show consisting of Gene Krupa, Connie Boswell, others, is hitting hard at the Paramount. The first week ending last night (Tues.) was a sparkling \$57,000. Only seven shows here in the five years of the policy have done bigger, including those that had the benefit of holidays. Opening day Wednesday (24) hit a record in the number of persons past the boxoffice up to 1 o'clock, total being near to 10,000.

In addition to a bangup campaign both by Paramount and the theatre, Bob Weitman, managing director, cleverly juggled personal appearances. On different days he got Jack Benny, Eddie Anderson (Rochester), Phil Harris and Dennis Day to appear for two of the stage shows. Holdover begins today (Wed.).

Another combination house that is socking through powerfully is the second-run State with 'Northwest Passage' and Milton Berle. House is heading for \$32,000 or over, very big.

Criterion is still another busy spot, with 'Two Girls on Broadway' coming through to \$12,000 first week, concluded last night (Tues.). This is nearly 50% over the house average. Film will be held over.

The Capitol, which had a sad week with '40 Little Mothers' and the personal of Eddie Cantor-George Jessel, getting only a little over \$34,000, by comparison is doing very gratifying business with 'Strange Cargo.' Indications point to a probable \$32,000 or thereabouts—and this week there's no \$20,000 stage show.

'One Million B.C.' is not getting anywhere at the Roxy and will check out tomorrow night (Thurs.) with only about \$30,000. 'Star Dust' in Friday (31).

An untouchable is 'French Without

Tears,' and it gets only one week at the Rivoli. The gross sighted is a poor \$12,000. Second week of 'Till We Meet Again' and Wayne King at the Strand looks about \$25,000, fair.

Estimates for This Week

Aster (1,012; 75-85-110-165-\$2.20) —'Gone' (M-G) (20th week). Last week (19th), \$16,500. Remains through May, under present plans.

Capitol (4,520; 25-40-55-75-\$1.10-\$1.25) —'Strange Cargo' (M-G). Doing quite all right, though not tremendous, \$32,000 or in that vicinity. Last week the stage engagement of Eddie Cantor and George Jessel with '40 Little Mothers' (M-G) failed to pull, only a little over \$34,000. Cost of lighting the stage ran to \$20,000, including \$15,000 for the talent; 20 musicians at \$125 each and 19 stagehands, plus extra operators.

Criterion (1,662; 25-40-55) —'Two Girls on Broadway' (M-G). Begins holdover today (Wed.) after coming through to very good \$12,000 the first seven days. This compares with under \$5,000 for 'Parole Fixer' (Par) the prior week, bad.

Globe (1,700; 25-35-55) —'Man with Nine Lives' (Col). Only \$5,000 seen, poor. Last week, 'Secret Four' (Mono), \$4,500.

Palace (1,700; 25-35-55) —'Virginia City' (WB) (2d run) and 'Making Eyes at Me' (U) (1st run), dual. This pair hopes for about \$8,500, okay. Last week, 'Chickadee' (U) (2d run) and 'Curtain Call' (RKO) (1st run), \$8,700.

Paramount (3,664; 25-35-55-88-99) —'Buck Benny' (Par) and, on stage, Gene Krupa, Connie Boswell, others (2d week). Terrific business being clocked here, the first seven days through last night (Tues.) being smash \$57,000. Only seven shows have exceeded this under the policy, including on holiday weeks. Personal appearances on two shows, different days, were made by Benny, Rochester, Harris and Dennis Day during past week. Second stanza for 'Cyclops' and Mitchell Ayres, Lupe Velez, Red Skelton, \$26,000, o.k.

Radio City Music Hall (5,980; 40-60-84-99-\$1.65) —'Rebecca' (UA) and stage show (5th week). Taking town by storm, will hit \$85,000 or over this week (5th) and goes sixth, first time for any film here. Last week (4th) was \$88,000, with no slackening in pace as compared with prior (3d) week, when the gross was \$90,000. Last Sat. —y (27), the 5th, was within \$1,300 of the first Sat. and \$1,000 of the second. Ain't that something?

Rialto (750; 25-40-55) —'Saps at Sea' (UA). Laurel-Hardy comedy doing well here, maybe \$8,500. Last week, 'Enemy Agent' (U), \$8,500, fair enough.

Rivoli (2,092; 40-55-75-85-90) —'French Without Tears' (Par). A bad cry at the b.o., only about \$12,000 and out after one week. The final fifth week of 'It's a Date' (U) was as good as this.

Roxy (5,836; 25-40-55-75) —'Million B.C.' (UA) and stage show. Failing to arouse much interest and lucky if \$30,000 or bit over, very disappointing. Last week, second for 'Johnny Apollo' (20th), hit \$31,000, which, together with a strong \$47,000 the initial seven weeks, turned a good profit.

State (3,450; 35-55-75) —'Northwest Passage' (M-G) (2d run) and Milton Berle. Happy days are here again, gross looking a very sturdy \$32,000 or thereabouts. Last week, house hit close to \$30,000, swell, with 'Too Many Husbands' (Col) (2d run) and Ed Sullivan unit.

Strand (2,767; 25-30-55-75-85-99) —'Till We Meet Again' (WB) and Wayne King (2d-final week). Doing all right on the holdover, probably around \$25,000. First week was \$35,000, not particularly fancy, but good. 'Saturday's Children' (WB) and Guy Lombardo opens Friday (31).

Korda Delayed on Coast By More 'Thief' Footage

Alexander Korda, scheduled to plane to England on Saturday (27), has delayed his departure a week to do additional work on the Coast on script of 'Thief of Bagdad.' Most of film was shot abroad, but additional footage is yet to be made in the Grand Canyon. Korda and his brother, Zoltan, are rewriting the part of the script still to be filmed.

Korda plans, even if he is further delayed, to arrive in London for the international sales meeting of United Artists, which will be held there in about two weeks. He will also, while abroad, get an English unit underway to produce two pictures returning to the U. S. in June.

Mpls. Plenty Dull, But 'Husbands' Good \$7,000; 'Lincoln' N.G. \$1,800

Minneapolis, April 30.

Business continues in the dumps. Present lineup holds a trio of outstanding offerings — the holdover 'Rebecca,' 'Abe Lincoln in Illinois' and 'Too Many Husbands' — but returns aren't causing the trade to exult with joy. With the war and generally adverse business conditions apparently dampening the urge for entertainment, theatres seem to be among the chief sufferers.

Among the newcomers, 'Too Many Husbands' is well out in the lead and promises to lead the pack by a respectable distance. Biggest disappointment is 'Abe Lincoln in Illinois,' which looked built to order for the sure-seated World catering to the carriage trade.

Estimates for This Week

Aster (Par-Singer) (900; 15-25) — 'Farmer's Daughter' (Par) and 'King Lumberjacks' (WB), dual first-run. Five days should yield satisfactory \$1,000. Last week, 'Viva Cisco Kid' (20th) and 'Women Without Names' (Par), dual first-run, split with 'Bullet Code' (RKO) and 'Men Without Souls' (Col), \$1,800, okay.

Century (Par-Singer) (1,600; 25-35-40) — 'Rebecca' (UA) (2d wk). Picture has caught on. Word-of-mouth plus helping to keep trade at profitable level. Fair \$5,000 indicated after big \$10,500 first week at State, from where film was moved here. Last week, 'Shop Around' (M-G), \$4,700, pretty good.

Eagles (Gillman) (200; 25-40) — 'Beyond Tomorrow' (RKO) (2d wk). Holdover hardly warranted by first week's returns, but management has faith in this one and hopes it will build. Light \$600 indicated, however. Last week, \$700, light.

Gopher (Par-Singer) (900; 25) — 'Blondie Budget' (Col). Series has built up a following here, but first one set a pace that successors have been unable to match. Looks like pretty fair \$3,500. Last week, 'Castle Hudson' (WB), \$4,000, good.

Orpheum (Par-Singer) (2,800; 25-35-40) — 'Husbands' (Col). Well-liked picture. Pointing toward good \$7,000, which will top the town. Last week, 'Primrose Path' (RKO), \$5,300, fairly good.

State (Par-Singer) (2,300; 25-35-40) — 'Johnny Apollo' (20th). Women not going for this one as strongly as for most Tyrone Power's offerings, probably because of gangster theme. Mild \$5,500 indicated. Last week, 'Rebecca' (UA), fine \$10,500.

Uptown (Par) (1,100; 25-35) — 'Raffles' (UA) split with 'Young Edison' (M-G). First neighborhood showings. En route to pretty good \$2,000. Last week, 'Graper' (20th), first neighborhood showing, \$2,700, big.

World (Steffes) (350; 25-35-40-55) — 'Abe Lincoln' (RKO). Thought built to order for this house, which caters to the so-called better class trade, returns are very disappointing. Mild \$1,800 in prospect. Last week, 'Mice Men' (UA) (2d wk), had \$800 after big \$2,200 first week.

'SON,' \$12,500, OKAY IN CINCY

Cincinnati, April 30.

Pic trade in general is on even keel with last week, when spring lull set in. Top tigger currently is 'My Son,' which is racking up an okay Palace mark. Albee is doing surprisingly good with 'Star Dust' and Keith's is good with 'Dr. Kildare's Strange Case.'

Of the holdovers, 'Rebecca' is strong in its third week downtown. Estimates for This Week

Albee (RKO) (3,300; 25-42) — 'Star Dust' (20th). Surprisingly good \$10,000. Last week 'Meet Again' (WB), slow \$9,500.

Capitol (RKO) (2,000; 35-42) — 'Apollo' (20th). Moveover from Palace for second week. Poor \$3,500. Last week 'Husbands' (Col) (2d run), fair \$4,800.

Family (RKO) (1,000; 15-25) — 'Double Alibi' (U) and 'Men Without Souls' (Col), split with 'Village Dance' (Rep) and 'Tarzan' (Ind). Biz in last half upped by appearance of Lulu Belle and Scotty. WLW hill-billy stars in 'Barn Dance.' Nifty \$2,400. Last week 'Three-Mile Limit' (Col) and 'Convicted Woman' (Col), divided with 'Ghost Homes' (M-G) and 'Forgotten Girls' (Rep), normal \$2,100.

Keith's (Libson) (1,500; 35-42) — 'Kildare's Case' (M-G). Swell \$5,500. Last week 'Blue Bird' (20th), dull \$4,000.

Lyric (RKO) (1,400; 35-42) — 'Shooting High' (20th) and 'Free Blonde' (20th). Second week of duals. Poor \$3,000. Last week 'Black

Friday' (U) linked with 'Seven Gables' (U), fair \$4,000.
Palace (RKO) (2,600; 35-42) — 'My Son' (UA). Okay \$12,500. Last week 'Apollo' (20th), fairly good \$10,000.
Shubert (RKO) (2,150; 35-42) — 'Rebecca' (UA) (2d wk). Held for second week after transfer from Albee's first week. Swell \$5,500, following last week's great \$8,000.

Buff. Slows Up; 'Christian'-Barron Orch Fair \$10,000

Buffalo, April 30.

Advent of first springlike warmth was sufficient to nick the numerals at most downtown boxoffices here this stanza.

Blue Barron is giving 'Courageous Dr. Christian' a slight shot in the arm at 20th Century.

Estimates for This Week

Buffalo (Shea) (3,300; 30-35-55) — 'Apollo' (20th). Sagging to disappointing \$12,000. Last week, 'Strange Cargo' (M-G) took unexpected drop to only fair \$14,000.

Great Lakes (Shea) (3,000; 30-50) — 'Cyclops' (Par) and 'Shooting High' (20th). Slowed pace indicates \$3,500, pretty good. Last week, 'All True' (WB) and 'Diamonds' (Par), good \$9,000.

Hipp (Shea) (2,100; 25-35) — 'My Son' (UA) (2d run) and 'Saps Sea' (UA). Getting \$7,500, fairish. Last week, 'Light Filled' (Par) and 'Viva Cisco Kid' (20th), fair \$7,700.
Lafayette (Hayman) (2,300; 25-35) — 'Green Hell' (U) and 'Oh, Johnny' (U). Around \$7,000, passable. Last week, 'Black Friday' (U) and 'Seven Gables' (U), \$7,500, okay.

20th Century (Dipson-Basil) (3,000; 30-40) — 'Courageous Christian' (RKO) and Blue Barron's orch. Only fair at \$10,000. Last week, 'Millionaire Playboy' (RKO) and 'Son of Navy' (Mon), \$3,000, weak.

RAIN CRIPPLES PROV.; 'ABE' FAIRISH \$6,000

Providence, April 30.

(Best Exploitation: RKO Albee)
Daily threatening weather is holding general grosses down and giving main stands plenty of cause for complaint because of poor matinees. Evening performances holding up well. 'Abe Lincoln' at Albee is attracting mild attention.

Albee's press department put in plenty of work on 'Lincoln' and sponsored, among other things, a contest among embryonic press agents from the public schools. Two youngsters were chosen from each of the city's six junior high-school newspapers and were lectured on film exploitation by Bill Morton, theatre's press agent. They were then given press books to study and at the end of one week presented their own campaign and advertising schedules. Stunt earned two-column story in Sunday Journal feature section.

Estimates for This Week

Albee (RKO) (2,300; 25-35-50) — 'Abe Lincoln' (RKO) and 'Slightly Honorable' (UA). Weather may have something to do with so-so attendance, which is holding house to fairish \$6,000. Last week, 'Primrose Path' (RKO) and 'Escape Paradise' (RKO) (2d wk), swell \$8,300.

Carlton (Pay-Loew) (1,400; 25-35-50) — 'It's Date' (U) and 'Making Eyes' (U) (2d run). Durbin pic good for fair \$3,000. Last week, 'Husbands' (Col) and 'Man Nine Lives' (Col) (2d run), okay \$2,500.

Pay's (Indie) (2,000; 25-35-40) — 'Forgotten Girls' (Rep) and vaude. General anarchy holding this one to weak \$5,500. Last week, 'Rancho Grande' (Rep) and Billy House heading vaude, neat \$7,500.

Majestic (Pay) (2,200; 25-35-50) — 'Johnny Apollo' (20th) and 'Half Sinner' (U). Doing fairly good and should get nice \$7,000. Last week, 'It's Date' (U) and 'Making Eyes' (U), earned second week switch with hefty \$9,000.

State (Loew) (3,200; 25-35-50) — 'House Across Bay' (UA) and 'One Beautiful' (M-G). Attracting only fair attention for \$12,000. Last week, 'My Son' (UA) and 'Outsider' (All.), fair \$13,000.

Strand (Indie) (2,000; 25-35-50) — 'Doctor Wife' (Col) and 'Emergency Squad' (Par). Looks like swell \$7,500. Last week, 'Dark Command' (Rep) and 'Just Woman' (All.), weakie \$5,700.

'Cargo' Rides to \$7,500 In Memphis on Det. Ban

Memphis, April 30.

Crawford-Gable combine, always surefire in this town, is clicking merrily at Loew's in 'Strange Cargo.' 'Primrose Path,' likewise benefitting from publicity on Detroit censor ban, is having a neat week across the way at the New Malco. The Warner is trailing with 'Angel from Texas.' Palace remains closed, leaving only four first-runs in operation.

Estimates for This Week

Loew's (Loew's) (2,600; 10-30-40) — 'Strange Cargo' (M-G). Unusual nature of picture plus first pairing of these popular personalities in several years proving boxoffice natural here. Should nab big \$7,500. Last week, 'Edison' (M-G), \$6,000, okay.

Warner (Warner) (2,300; 10-30-40) — 'Angel from Texas' (WB). Cast no lure and will do well to grab \$4,000. Last week, 'Meet Again' (WB), \$6,200, swell.

New Male (Lightman) (2,800; 10-30-40) — 'Primrose Path' (RKO). Shady life opus opened well and building toward good \$6,200. Last week, 'It's Date' (U), \$7,500, socko.

Strand (Lightman) (1,000; 10-30-30) — 'Man Nine Lives' (Col), first three days; 'Isle Destiny' (RKO), two days; 'Escape Paradise' (RKO), two days. Just average \$1,700. Last week, 'Viva Cisco' (20th), three days; 'Convicted Woman' (Col), two days; 'Hidden Gold' (Par), two days; \$1,900, all right.

'CARGO,' \$15,000, FAIR IN WASH.

Washington, April 30.

Spring arrived with a wallop over the weekend, packing the ball park and outdoor amusements and setting up echoes during mats at indoor spots. Evenings are still okay, but overall take will be down, but definitely.

Capitol bids to wind up in front with 'Johnny Apollo' and Ed Sullivan's Hollywood troupe, latter garnering hefty publicity via press party day before opening. Palace, Loew's big straight pic spot, will be in second place with 'Strange Cargo,' despite pinnings all around, and Earle is third with 'Doctor Takes a Wife' and minstrel show.

Estimates for This Week

Capitol (Loew) (3,434; 25-35-40-60) — 'Apollo' (20th) and vaude. Ed Sullivan's film players crowding the papers, but weather won't allow it more than okay \$18,000. 'Girls on Broadway' (M-G) thanked Horace Heidt Orch for sock \$28,000.

Columbia (Loew) (1,234; 25-40) — 'Grapes' (20th) (2d run). Back downtown after two fair stanzas at Palace, and will be content with light \$3,500. Last week, 'Edison' (M-G) (2d run), good \$5,000.

Earle (WB) (2,216; 25-35-40-60) — 'Doctor Wife' (Col) and vaude. Ballyhoo on Gus Van and streamlined minstrel show helping, but not to more than fair \$13,500. Last week, 'Meet Again' (WB) and vaude, okay \$14,000.

Keith's (RKO) (1,380; 35-55) — 'It's Date' (U) (3d wk). Slipping badly toward light \$3,500 if it stays. Last week, same pic, solid \$8,000.

Met (WB) (1,800; 25-40) — 'Seventeen' (Par). Average \$4,500. Last week, 'Singapore' (Par) (2d run) (2d wk), held to big \$5,500.

Palace (Loew) (2,242; 35-55) — 'Strange Cargo' (M-G). Gable Crawford offsetting weak notices for fair \$15,000. Last week, 'Rebecca' (UA) (2d wk), swell \$16,000.

Montreal Gets Dull; 'Primrose' Nice \$7,000

Montreal, April 30.

No film standouts locally this week and general decline in grosses fore-shadows coming summer doldrums. 'Primrose Path,' at Loew's, looks best at \$7,000.

Estimates for This Week

Palace (CT) (2,700; 25-45-55) — 'Johnny Apollo' (20th). Best in sight is \$6,500, fair. Last week, 'Husbands' (Col), good \$7,000.

Capitol (CT) (2,700; 25-45-55) — 'Cyclops' (Par) and 'French Without Tears' (Par). Good enough \$4,500. Last week, 'Come True' (WB) and 'Lone Wolf Strikes' (Col), fair \$4,500.

Loew's (CT) (2,600; 30-40-60) — 'Primrose Path' (RKO). Pacing for nice \$7,000. Last week, 'Edison' (M-G), poorish \$6,000.

Princess (CT) (2,300; 25-34-50) — 'Congo Maisie' (M-G) and 'Nick Carter' (M-G). Good \$4,000 ahead. Last week, 'Green Hell' (U) and 'South Border' (Rep), \$4,000, okay.

Orpheum (Ind) (1,100; 25-40-50) — 'Rebecca' (UA) (6th wk). Still clicking and looking for neat \$3,500 after very nice \$3,800 last week.

Cinema de Paris (France-Film) (600; 25-50) — 'Fin du Jour' (3d wk).

Frisco Dives; Cantor's 'Mothers' N.G. \$10,000, 'Doctor Wife' Fair at Ditto

San Francisco, April 30.

Nosedives are more or less common among the downtown first runs at the box office this week and managerial concern is evident. Reason for the unexpected slump is not apparent, as weather has been okay and the attractions about the usual calibre.

Probably the one exception to the current condition is 'Rebecca,' at United Artists, in its sixth week. Next in line for near average is the Fox, with 'Johnny Apollo' heading for fair figure.

Estimates for This Week

Fox (3,000; 30-40) — 'Johnny Apollo' (20th) and 'Star Dust' (20th). This one showing the best pull of any of the downtown houses, probably due to popularity of Tyrone Power. Will finish with around \$18,000, fair. Last week, 'Strange Cargo' (M-G) and 'One Beautiful' (M-G), \$11,000 in second week.

Golden Gate (RKO) (2,850; 35-55) — 'Primrose Path' (RKO) (2d wk). Will finish around \$12,000, fair. Last week, slightly under \$10,000, fair.

Orpheum (F&M) (2,440; 30-40) — 'Doctor Wife' (Col) and 'Music Heart' (Col). Will probably go slightly over \$10,000, only mild. Last week, 'It's Date' (U) and 'Men Souls' (Col), finished at \$8,800, great for third week of Deanna Durbin feature.

Paramount (F-WC) (2,740; 30-40) — 'Dark Command' (Rep) and 'Angel Texas' (WB). Will likely get only \$12,000, below average. Last week, 'Meet Again' (WB) and 'King Lumberjacks' (WB), poor \$9,000.

St. Francis (F-WC) (1,470; 30-40) — 'Dr. Kildare's Case' (M-G) and 'Girls Broadway' (M-G). Faring no better than competitive houses and will hit below average \$4,500. Last week, 'Adventure Diamonds' (Par) and 'Cyclops' (Par), closed to around \$5,000, average for this small house.

United Artists (Cohen) (1,200; 25-35-75) — 'Rebecca' (UA) (6th wk). Holding up strong and the outstanding exception along the street. Looks like \$7,500, very good. Last week, \$8,000, fine.

Warfield (F-WC) (2,680; 30-40) — '40 Mothers' (M-G) and 'Opened Mistake' (Par). Cantor starrer hitting below average pace, getting \$10,000, very poor for this house. Last week, 'Dr. Kildare's Case' (M-G) and 'Girls Broadway' (M-G), \$11,500, only fair.

'CYCLOPS'-DIAMONDS' GOOD \$16,500 IN B'KLYN

Brooklyn, April 30.

Major magnet in downtown area continues to be Loew's Metropolitan with 'Young Tom Edison' and 'Dr. Kildare's Strange Case' in second week. Fabian Fox is giving its rival a tussle with 'Dr. Cyclops' and 'Adventure in Diamonds.' RKO Albee is quiet with 'My Little Chickadee' and 'Young as You Feel.'

Estimates for This Week

Albee (3,274; 25-35-50) — 'Chickadee' (U) and 'Young Feel' (20th). Uneventful \$14,000. Last week, 'Vigil Night' (RKO) and 'Cisco Kid' (20th), good \$17,500.

Fox (4,089; 25-35-50) — 'Cyclops' (Par) and 'Adventure Diamonds' (Par). Bright \$16,500. Last week, 'Virginia City' (WB) and 'Blondie Budget' (Col) (3d wk), good \$15,500.

Met (3,618; 25-35-50) — 'Edison' (M-G) and 'Kildare's Case' (M-G) (2d wk). Continues strong; fine \$18,000. Last week, first-rate \$22,000.

Paramount (4,126; 25-35-50) — 'All True' (WB) and 'King Lumberjacks' (WB) (2d wk). Satisfactory \$15,000. Last week, good \$19,500.

Strand (2,670; 25-35-40) — 'Human Monster' (Mono) and 'Outside Linin' (Col). So-so \$4,500. Last week, 'Forgotten Girls' (Rep) and 'Village Dance' (Rep), quiet \$5,000.

'Screen Travelers' \$125,000 Complaint Undismissed

Andre de la Varre, known as 'The Screen Traveler,' and not to be confused with William La Varre, won an important point in connection with his suit against Paul Devlin, Nora Eker, Producers Laboratories, Inc. and J. T. Cosman, when N. Y. supreme court justice Isidor Wasser-vogel on Friday (26) denied, in all respects, an application by the defendants to dismiss the suit, or to force the plaintiff to serve an amended complaint. Suit seeks damages of \$125,000.

Devlin was de la Varre's assistant, and from 1936-39, is charged with having withdrawn money from the plaintiff's account, and 'conspired to acquire the negatives, name, good will, and exhibition contracts of his employer.' Nora Eker is Devlin's wife and is charged with being party to the 'conspiracy.' Cosman, head of Producers Laboratories, is alleged to have threatened de la Varre if he didn't re-employ Devlin.

Hart Joins Law Firm

Vincent G. Hart, who has just finished his job as national director of the motion picture division of the Finnish Relief Fund, has joined the law firm of Friend, Holbrook, Reiskind & Hart. Senior partner is Arthur S. Friend, one time treasurer of Paramount and its general counsel.

For the past 10 years Hart has been on the staff of the Hays office in charge of the eastern production, code administration.

B. C.' Bullish \$8,000 in Philly On Strong Rally; Ginger Good \$16,000

Philadelphia, April 28.
(Best Explanation: Movies)

Four newcomers on the Philly film scene are shaking in with strong gains, with also weather break over the weekend and better day.

"Come With the Wind" (RKO) left the Erie and the West week on a back-to-normal policy in bringing a patchy box office. "Johnny Apple" (MGM) is riding the crest of community stories from other cities and likewise chalking up good box office. "We Meet Again" is up to par. "Belmont" set to wish up of the West this week to supply way for "The Hunted" (MGM) is bringing a box office with happy gains for this, its 4th week.

But most bullish take of the week is the theater's "One Million B.C." which shows the result of one of the best gross buildings in recent months. A special screening was held at the box with reps from the defense, news services, scientists, sociologists, etc., present to check effect of the sight of prehistoric monsters on animals. Good word broadcast over WPCN. The house front, backed to stimulate a prehistoric jungle, attracting plenty attention.

Estimates for This Week

Adams (WB) (1,200; 22-42-57-48) — "My Son" (UA) (2d wk.). Showing up nice, with help \$11,000 in night after record-breaking \$17,000 for opening week.

Aranda (Rialto) (1,000; 22-42-57-48) — "Belmont" (M-G) (2d wk.). Bad \$2,000, but better than the other \$1,000 for "Belmont" (M-G) (2d wk.).

Bard (WB) (1,200; 22-42-57-48) — "Belmont" (UA) (2d wk.). Customers still flocking to the picture and trying \$11,000 on the line for this week, necessitating holdover. Last week, \$11,000 for second week.

Bark (WB) (1,200; 22-42-57-48) — "Dark Command" (RKO). Back to old price and fair \$11,000 for this week. Last week, \$11,000 (2d wk.).

Bee (WB) (1,200; 22-42-57-48) — "Meet Again" (WB). Showing up well, with \$11,000. Last week, \$11,000 (2d wk.).

Boston (WB) (1,200; 22-42-57-48) — "Come True" (WB) (2d wk.). Just starting to show \$11,000. Last week, \$11,000 for first week of "Come True" (WB) (2d wk.).

Boston (WB) (1,200; 22-42-57-48) — "Punchy" (RKO) (2d wk.). Parking up with \$11,000 after move-over. Last week, \$11,000 (2d wk.).

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Key City Grosses

Estimated Total Gross
This Week.....\$1,251,000
(Based on 28 cities, 178 theaters, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,251,000
(Based on 28 cities, 178 theaters)

'MY SON' GOOD \$17,000 IN L'VILLE

Louisville, April 28.

Downtown film bills are coming in for lukewarm attention this week, as the grosses have started their spring go-around at Churchill Downs. Nineteen-day most opened Saturday (17) and localities are pretty much horse-minded at the moment. Weather has taken a turn for the better, and that also means that folks will be venturing themselves out-of-doors. Product is on the same side to make h.a. matters worse.

Cities were most favorable to "My Son, My Son" at Loew's State, and gross will lead the field. Balance of the entries are just average.

Estimates for This Week
Brown (Loew's Fourth Avenue) (1,000; 22-42-57-48) — "My Son" (UA) (2d wk.). Doing okay so far, with \$11,000. Last week, \$11,000 (2d wk.).

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and "High School" (MGM), second run, \$1,200.

Paramount (MGM) (1,200; 22-42-57-48) — "My Son" (UA) (2d wk.). Doing okay so far, with \$11,000. Last week, \$11,000 (2d wk.).

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Benny Rides to \$22,000, Ellington Clicks Off \$12,500, 'Command' 15G, 'Doctor' \$17,800, and L. A. Beams

Broadway Grosses

Estimated Total Gross
This Week.....\$1,251,000
(Based on 12 theaters)
Total Gross Same Week
Last Year.....\$1,251,000
(Based on 12 theaters)

TRUE-FOLIES BIG \$21,000 IN CLEVE.

Cleveland, April 28.

Film extras are leading along at a moderate pace, with the exception of "It All Came True" (RKO) which is leading the field.

Estimates for This Week
Alhambra (RKO) (1,200; 22-42-57-48) — "It All Came True" (RKO) (2d wk.). Doing okay so far, with \$11,000. Last week, \$11,000 (2d wk.).

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Los Angeles, April 28.
(Best Explanation: Movies)

Generally healthy line in most of the first-run currently, with several of the houses, notably Paramount and Orpheum, getting away to excellent start, better with the new Jack Benny picture, and letter with Duke Ellington on stage. Republic is playing "Dark Command" first-run at the Warner day-daters, and should wind up with rise to \$15,000 combined.

"Johnny Apple" is leading Loew's State and Chinese for around \$21,000, and "Doctor Takes a Wife" is expected to pile up healthy grosses at the RKO and Paramount. "Come With the Wind" took a new lease on life, and with Carthage Circle now going grand up to 8 p.m., allowing two shows up in that time, with reserved seat policy only at night, should hold on for another spell.

Heavy exploitation was staged for "Johnny Apple" with every radio station in town spinning 30-second transmissions, which were placed at least 100 times during preceding week. Exploiters led in with buying and sending events and also talked in heavily on both with Radio City, which used Tyrone Power picture on both of billboards.

Estimates for This Week
Carthage Circle (F-WC) (1,200; 22-42-57-48) — "Johnny Apple" (M-G) (2d wk.). Doing okay so far, with \$11,000. Last week, \$11,000 (2d wk.).

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Carthage Circle (F-WC) (1,200; 22-42-57-48) — "Johnny

ON A SILVER PLATTER—
in the merry M-G-M month of May

"20 MULE TEAM"
 starring
WALLACE BEERY

"EDISON, THE MAN"
 starring
SPENCER TRACY

"WATERLOO BRIDGE"
 starring
VIVIEN LEIGH
ROBERT TAYLOR

"SUSAN AND GOD"
 starring
JOAN CRAWFORD
FREDRIC MARCH

A MONTH FULL OF STARS!
 May-dates become M-G-M Play-dates!

Complete Text of Commerce Dept.'s Proposal for a Consent Decree

Washington, April 30.

Complete text of the Department of Commerce proposal for a consent decree, at a basis of settlement of anti-trust suits against major film companies and independent theatre circuits, brought by the Department of Justice, is being demanded by members of Congress who are closely watching developments in the legislative and Judiciary circles on the motion picture industry.

Bill which will place strict regulations on certain industry functions are now pending in both the House and the Senate. Further advanced on the legislative calendar is the Reilly anti-trust banking measure, known as S. 386, now awaiting some determination by the House Committee of Interstate and Foreign Commerce. The bill passed the Senate at the last session. Pro and con hearings on the bill may be heard by the House committee during May, with the chance that the measure will reach vote before adjournment. Failure to emerge from committee at this session will result in the bill being voided.

On May 13 the Senate Committee on Interstate Commerce will start hearings on the new theatre-distribution bill, which also is authored by Senator Reilly.

Pending in the Department of Justice are the anti-trust suits in New York, which is definitely set for trial starting June 2, and actions already filed against the Schine, Grifun and Crescent theatre circuits.

Through the conciliatory services of the U. S. Department of Commerce major film companies last autumn sought aid of administrative officials to bring a memorandum that would serve as a basis for settlement of all the anti-trust suits.

The proposal was submitted to the Department of Justice, which in turn sent copies to directors of Allied States Association of Exhibitors for comment on the concessions which major companies wish the acceptance of Paramount were reported to have agreed upon as acceptable.

Current status of the matter is that the Allied organizations declared the proposals were unsatisfactory and urged that the anti-trust suits, which demanded establishment of block booking and dissemination of theatres from production and distribution, be pushed to trial.

Because of the concessions which film companies are willing to make, if the anti-trust suits are dropped, and because of the overlapping legislative progress, which seeks to prohibit by statute certain trade practices complained of in the law suits, members of Congress have requested all facts

Trade Showings in Exchange Centers; Sales Limited to Blocks of Five Films

Following is the Department of Commerce proposal:

1. Elimination of blind selling. No person shall offer for lease (1) a feature (2) motion picture film for a public exhibition at which an admission fee is charged until the film has been trade (3) shown within the exchange district (4) in which the public exhibition is to be held. Every trade showing shall be provided by a notice published in at least two trade publications (5) having general circulation among exhibitors, which shall state the title of the film and the date and the time when and place or places where the film will be trade shown.

- (1) The term lease includes the making of a license, agreement, contract or any type of agreement whereby a feature motion picture film is to be supplied by a distributor directly or indirectly to an exhibitor to be exhibited in a theatre for public performance.

- (2) A feature motion picture film shall be defined as a motion picture which is more than 1,000 feet in length, heretofore sometimes referred to as "motion pictures" or "feature pictures" or "pictures."

- (3) A trade showing is defined as an exhibition of a motion picture film at a theatre or projection room for the benefit of exhibitors generally, prior to the lease or offer to lease of a film for public exhibition.

- (4) Exchange districts shall be as constituted at present—each company shall file a map showing the territory covered by each exchange office. Changes in the territory embraced within a particular exchange district shall, if these changes involve adding to the number of circuit theatres within an exchange district be made only after approval by the Department of Commerce and Justice.

- (5) Trade publications means a daily or weekly newspaper or magazine which is devoted primarily to news concerning the motion picture industry.

2. Leasing of feature motion pictures in exchange districts. All negotiations for the lease of feature motion pictures shall be conducted in the exchange district in which the theatre or theatres are located. No lease for pictures in any exchange district shall include theatres located in another exchange district, nor shall the leasing of pictures in one exchange district be conditional upon the leasing of a picture or group of pictures in another exchange district.

3. Limitation on the lease of pictures which have been trade shown.

- (1) No distributor shall offer for lease more than five feature pictures in a single group.

- (2) The lease of one group of pictures shall not be conditional upon the lease of another picture or group of pictures.

- (3) It shall be the policy of every distributor not to require an exhibitor to lease short subjects, newspapers, trailers, etc., as a condition to the leasing of any feature picture or group of pictures. Any exhibitor who claims he was forced to lease short subjects, newspapers, trailers, etc., shall mail a written notice of protest to the distributor at its home office within two days after the lease has been signed. If the distributor disputes the claim of the exhibitor, the matter shall be arbitrated.

- (4) There shall be no separate price schedule for feature pictures leased on either a flat rental or percentage basis.

- (5) An exhibitor may cancel out of any group of pictures leased by him, any picture which is locally offensive on moral, religious or racial grounds, provided written notice of his election to cancel shall be mailed to the home office of the distributor not later than seven days after the contract has been executed. However, any distributor may arbitrate the question of whether any picture is in fact locally offensive on moral, religious or racial grounds.

- (6) Each lease agreement shall specify the preferred playing time, if any, which is to be allocated to the picture or pictures covered by the lease.

- (7) No lease of pictures to any one theatre shall contain any restrictions upon any other competing or subsequent run theatres (except as to clearance) as to admission price or policy of operations such as double feature.

4. Pictures available on same run. Distributors shall make these pictures available on same run in any situation provided that the exhibitor can satisfy reasonable minimum standards of theatre operation and the exhibitor is reputable and responsible. In carrying out the provisions of this section, no distributor shall request license fees or other terms and conditions that are designed or intended for the purpose of defeating this section. The disputes which may arise hereunder shall be subject to arbitration. (This does not mean a particular run but a run at some time.)

5. Determining any claim that the license fees or other terms and conditions requested by a distributor are designed or intended for the purpose of defeating this section, the arbitrator shall consider among other things whether the distributor obtained similar license fees, terms and conditions in other situations similar to the one being arbitrated and the effort which the exhibitor will have upon the distributor's total revenue in that particular competitive area.

Arbitration Compulsory on Clearance, Overselling and Unfair Competition

6. Provisions of leasing agreements. Every lease agreement shall provide that the distributor will arbitrate the following:

- (1) Disputes as to whether or not the existing picture, under the conditions involved in a particular instance, is unreasonable. All awards which change the clearance between theatres shall be reviewed by the appeal board.

- (2) Charges by one exhibitor that another exhibitor has leased for exhibition a greater number of feature pictures than the latter reasonably requires for exhibition in his theatre. The leasing by an exhibitor of a

sufficient number of pictures to meet his requirements for a period of 15 months, shall not be deemed to be unreasonable.

- (3) Charges that a prior run theatre is unfairly holding back the playing of pictures.

7. Remedy for discrimination against independently operated theatres. When an independent operator of an existing theatre claims that notwithstanding the provisions of this decree a distributing company has by its actions over a period of time demonstrated a policy of discrimination against him in favor of a competing theatre solely because the competing theatre is a component of a theatre circuit, the question will be subject to arbitration.

8. Should the arbitrator find:

- (1) That the independent theatre is a better theatre than the competing circuit theatre, and

- (2) That the distributor has adopted the practice over a period of time of unreasonably refusing to lease pictures to the independent operator as an existing theatre in favor of the competing circuit theatre, and

- (3) That the distributor's refusal to lease pictures to the independent operator was in fact due to the fact that the competing circuit theatre was a component of a theatre circuit,

then the arbitrator shall issue an award prohibiting the offending distributor from leasing pictures to the competing circuit theatre except under separate contract for each picture or group of pictures. The award shall further provide that the offending distributor shall not impose upon or accept from the offending circuit theatre, as a condition of leasing pictures in other circuit theatres, the lease of pictures in that circuit theatre. Such awards shall be appealable to the appeal board.

9. Limitation on lease of pictures to newly acquired theatres.

- (1) On and from the date hereof, should any individual, firm or corporation operating a theatre or group of theatres lease, build, buy or otherwise acquire an interest in an additional theatre in any situation, then and in that event, with respect to the additional theatre, a distributor may lease its pictures for exhibition in the additional theatre only under a lease agreement which relates solely to the said additional theatre as if said theatre were an independent theatre and not part of a circuit.

- (2) No distributor shall lease pictures to the additional theatres referred to in paragraph (1) hereof, as a part of a lease involving the lease of pictures in other theatres, nor shall the distributor impose or accept as a condition of leasing pictures in other theatres the leasing of pictures in the additional theatre.

- (3) Where any individual, firm or corporation permanently ceases to operate a theatre or theatres in a situation and replaces or substitutes the discontinued theatre with a newly acquired theatre in the same situation, the substituted theatre shall not be considered as an additional theatre within the meaning of this provision if the seating capacity of the substituted theatre is not 25% greater than the total seating capacity of the discontinued theatre or theatres. However, if the seating capacity of the substituted theatre is 25% greater than the total seating capacity of the discontinued theatre or theatres, the substituted theatre shall be regarded as an additional theatre within the meaning of this provision.

- (4) Should any dispute arise as to whether or not any theatre leased, built, bought or an interest therein otherwise acquired in an additional theatre in any particular situation, as provided in paragraph (1) hereof, or whether the additional theatre is receiving advantageous treatment because of its membership in a circuit, the same shall be subject to arbitration. The award of the arbitrator shall be appealable to the appeal board.

- (5) To further the purposes of the above provision, it is provided that on and from the date hereof should any individual, firm or corporation be engaged to lease motion pictures for additional theatres, then and in that event, with respect to such additional theatres, a distributor may lease its pictures for exhibition in each of the additional theatres only under a lease agreement which relates solely to each of the additional theatres, provided, however, that if two or more of the said additional theatres had a common ownership, on or before the date hereof, and continue to be so owned, the distributor may include the said commonly owned theatres in a single lease agreement if the theatres are located in the same exchange district.

- (6) No distributor shall lease pictures to the additional theatres referred to in paragraph (1) hereof, as a part of a lease involving the lease of pictures in other theatres, nor shall the distributor impose or accept as a condition of leasing pictures in other theatres the leasing of pictures in the additional theatre.

- (7) Upon the complaint of any exhibitor the distributor shall arbitrate the question of whether they have violated any of the provisions of paragraphs (1) and (2). The award of the arbitrator hereunder shall be appealable to the appeal board.

Appeal Boards to Be Appointed by Courts, Nominal Fees to Be Charged for Hearings

10. Arbitration machinery.

- (1) Selection of neutral arbitrators. A panel of approximately 15 neutral arbitrators for each exchange district shall be designated by the American Arbitration Society. Neutral arbitrators shall not have any past or present connection with the production, distribution or exhibition of motion pictures, nor any interest in any theatre, as either landlord, lessee or otherwise. The neutral arbitrators shall be paid not a per diem fee but when hearing a case, the amount paid to be attractive enough to secure the services of responsible persons.

- (2) Adversely to the neutral arbitrator. Each of the parties is informed shall have the right to designate an arbitrator to head the controversy with the neutral arbitrator, to advise with him, but to have no vote.

- (3) Arbitration appeal board. There shall be an arbitration appeal board consisting of three members appointed by the court each of whom shall be a person of known impartiality and distinction. One member shall be designated by the court as chairman of the board. The jurisdiction of the board shall be to hear and determine appeals.

- (4) Arbitration procedure. An exhibitor who has the right to arbitrate under any of the provisions of this decree may require the distributor to arbitrate the controversy, giving notice to the Secretary of the Arbitration Board located within his district. The parties to the controversy shall mutually agree upon a neutral arbitrator from the panel established for the exchange district in which the theatre of the complaining exhibitor is located. If the parties cannot agree on the choice of a neutral arbitrator from the panel within a reasonable time, the Chairman of the Arbitration Board shall select a neutral arbitrator from the panel.

- (5) Code of arbitration. The arbitrator shall award costs against either party or apportion them among the parties as he may deem proper.

- (6) Sanctions. The arbitrator may provide a penalty in the form of liquidated damages for failure to abide by the award.

- (7) In order to discourage unwarranted resort to arbitration, the arbitrator shall be empowered to award a sum of money as liquidated damages in favor of a respondent distributor when he finds that the exhibitor's resort to arbitration was frivolous or made for the purpose of harassment or vexation.

- (8) Administration of arbitration machinery. The maintenance and functioning of the arbitration offices and personnel in each exchange district shall be under the jurisdiction of a board consisting of three members. One member to be a representative of the Department of Commerce, one member to be a representative of the exhibitor group, and one member to be a representative of the distributors. This committee shall employ an executive secretary to carry out under its direction the business management of the arbitration machinery. Among the responsibilities of the committee it shall have the duty of budgeting the cost of operating the arbitration machinery, renting offices, maintaining offices, engaging personnel, etc. Before the end of the year the committee shall be by unanimous agreement the maximum annual cost of the arbitration machinery. It will be indicated up an exchange of letters that the maximum cost so fixed is deemed to be adequate by officials of the Department of Justice. Any increase in the amounts so fixed shall be made only after a majority of the committee have approved.

- (9) Financing. The cost of the arbitration machinery shall be met out of a fund made up of (a) a small percentage of the gross receipts of each distributor, (b) a nominal sum such as \$5 or \$10 per picture leased shall be paid by the exhibitor, and (c) a reasonable filing fee for each arbitration proceeding to be paid by the party filing the complaint.

ALBERT'S C-NOTE

Hollywood, April 30.

"The Thousand-Dollar Woman," originally slated for Edward G. Robinson at Warner, is being re-written by Eddie Albert.

Mark Hellinger is working over the production job in Bryan Foy.

No Time Like Now

Hollywood, April 30.

"No Time for Comedy" called yesterday (Mon.) at Warner, four weeks ahead of the original starting date, William Keighley directing.

Pictures (co-stars) James Stewart and Bessie Beatty.

U. S. Suit

Continued from page 1.

sent with. After that Lauer's representatives, who have not yet been named, will get on.

There'll Be No Consent

Once again during the past week, reports of a possible settlement between trial of the Government anti-trust suit against the major film companies spread about Broadway. This report declared that the defendants had requested conditions which would be acceptable to the Government and had received them, and that "serious consideration" had been given the U. S. suggestions, and the likelihood of an immediate acceptance was reported.

There seems to be nothing according to sources close to the trial judge, Henry Warren Goddard, who declared that the judge had been notified of nothing in the way of a settlement, and was preparing to start the trial June 2. These sources felt that the judge would certainly be notified if a settlement were contemplated. Former Judge Thomas D. Thacher and William J. Donovan, leading legal defense counsel for Paramount and ESO, both denied having received any such a move on the part of the Government, and indicated that settlement talk was dead for the moment at any rate. Last week Thacher Alford also declared that he did not believe a settlement possible, and the talks were summed up by one defense counsel, who declared that it was his experience that in big actions of this kind, rumors of "settlement" always were rampant just before trial.

Monday (29) saw George J. Schaefer, president of BEA, re-assumed before trial by special assistant to the attorney general, Robert L. Wright. Schaefer was a well known witness, but obviously nervous. Schaefer started his answers by tracing his career to the business from its start in 1904 with World Film Corp. to his present position. Little the executive said was new, although he repeated and clarified some of the incriminating statements made by his immediate predecessor as the head, Sidney R. Kent.

Asked what he does if the BEA distribution and theatre departments disagree, Schaefer declared that he "kings their heads together until they do agree." Then he described the lawsuit received by a producer owning theatres and vice versa as applied to each of the three companies he had been with.

Jersey Indie's Prime Beef Against Reade

James C. Furgione, for the past 11 years operator of the Forum, Metuchen, N. J., was the second of the possible Government witnesses to be called on for examination by major film counsel. Furgione was interrogated Wednesday (24) in the BEA offices, Radio City, N. Y. The main complaint of the theatre owner, after three hours of examination, seemed to be not against the majors, but against Walter Reade.

From the 1933-34 season, Reade's theatres, formerly run by Paramount, took over the Forum. Despite protests, the major "refused" to do anything to alleviate the situation. Furgione declared that to general the entire manipulation of the majors is granting cooperation to one independent as against another is wrong. "I'd like to see part of all the major's profits, but the companies say either take all or nothing, so I have to be content with just some."

Fox Expands Its Motion To Dismiss Complaint

On Wednesday (24) M-G-M, according to go the full way, asked the entire list of names of its officers and directors to its petition for a dismissal of the Government anti-trust action. Previously the company had sought a dismissal against Joseph M. Schenck, General H. Hastings and William F. Phelan on the grounds that the complaint listed no enough kind of these men.

New M-G-M Fox had added Sidney E. Kent, William C. Michel, Daniel F. Zanuck, William Goetz, Felix A. Jenkins, Sidney Tower, Herman Wether, H. Donald Campbell, John S. Dugan, Bernard G. Pines, Simon Furber, Thomas B. Talley, George F. Shuman, A. S. Gensler, H. C. Cox, John P. Edmundson to the list. Both applications have been postponed to May 7 when they will be heard by Judge Henry W. Goddard.

ALL EYES ON LOUISVILLE THIS WEEK!...for America

...THE
KENTUCKY
DERBY



and

...THE WORLD
PREMIERE OF
THE FUNNIEST
PICTURE
IN YEARS...



LEO MCCAREY

Producer-Director.... Who gave you
"THE AMPHIBIOUS SOLDIER" and "LOVE AGAIN"



GARSON KANIN

who gave you "BACHELOR PARTY"

MI

E, KY.,

a's **Two Biggest Events!**



IRENE DUNNE
CARY GRANT

FAVORITE WIFE

K K O
RADIO



RANDOLPH SCOTT • GAIL PATRICK

A LEO McCAREY PRODUCTION

Directed by Gordon Krug

American Picture Firms Get Boost As Britain Okays Monetary Quota

The British monetary quota, a change from the film statute based on foreign exchange, was approved by the British Board of Trade over the weekend as had been anticipated early last week. The Hays office received official confirmation on the day from F. W. Allport, Motion Picture Producers & Distributors Assn. in Great Britain, Monday (28). The further action of vote is needed, before going into operation immediately. Coin quota plan is retroactive to last April 1, start of the third year of the British quota law.

Major company foreign officials were asked last Wednesday (24) to pass on monetary rules and percentages. All major agreed to the suggested shift. These changes had been sought by American distributors ever since it became apparent that wartime conditions would not permit conformity regularly to production in England as set by the foreign-exchange quota.

New quota's chief advantage to American distributors is that risks caused by wartime interference could be narrowed down to one or two features instead of involving multiple productions, as under the former setup.

Copyright Monopoly In Japan of Dr. Plagi Taken Away by Gov't

Tokyo, April 18.—The so-called "Plagi storm," which has been sweeping literary, dramatic and musical circles here for the past eight years, has been completely driven from Japan as a result of enforcement of the Copyright Brokerage law, which gives the Japanese control of all foreign copyrights here.

The law now makes it impossible for Dr. Wilhelm Plagi, who came here from Germany more than eight years ago and is a Tokyo resident, to prevent performances of operas, plays and music, and publication of foreign book translations unless he is paid fees for foreign copyrights, many of which he controlled as sole agent in East Asia of the Music Copyright Association and the International Literary Writers' Federation, both in Paris.

Up until recently, either permission of Dr. Plagi or payment to him of allegedly excessive copyright fees was required. This situation caused great commotion and disapproval in artistic circles.

Enforcement of the Copyright Brokerage law gives authors rights in distribution and handling of foreign copyrights to the Japan Music Copyright Protection Association and the Japan Literary Copyright Protection Federation. These have been recognized by the government, which humbly rejected a request by Dr. Plagi that he be permitted to continue his business on the ground that his enterprise would be incompatible with the new law.

In the face of all this, Dr. Plagi announced that he will open an office in Munich, Munich, through which he will continue to protect the copyright entrusted to him.

Refugee Actors, Posing As Yanks, Exposed in China

Shanghai, April 18.—Scores of Russian, Hungarian and other European refugee artists, chiefly singers and dancers, posing as U. S. entertainers, have arrived here at late, and in many instances succeeded in duping cabaret and other employers into giving them engagements. They pose as Americans because Yank artists are always in demand here, the demand being especially strong at present because few U. S. artists will accept terms offered by local employers.

A recent exposure of the situation, even to mentioning names, resulted in night club and ballroom operators now demanding that artists produce their passports if claiming to be Americans.

British Co. to Make Picture on Canada

London, April 18.—Michael Powell and Eric Prendergast, respectively director and producer of "Cromwell," settled for Canada hurriedly and secretly, taking with them Richard (Bill) Gillet, production manager. Party is being sent by Orton Film, Ltd., at which John Squire is head.

Trip, which is to last six weeks, is for purpose of gathering material to place Canada on the screen, particularly stressing the Anglo-French-Canadian tieup.

Project is equally sponsored by the British and Canadian governments.

HAYS STALLING COL'S ITALY FILM DEAL

Hays office directors in New York reaffirmed the stand of the Motion Picture Producers & Distributors Assn. in refusing to okay distribution of films in Italy at a meeting Friday (28). Session was called because of reports that Columbia was set to make a deal for distributing some of its product in Italy. It is understood that any proposed transaction with an Italian distributor was forestalled, temporarily, at least, by Haysian action.

Attitude taken by Haysian directors was that U. S. distributors were willing to listen to any revised setup which might be offered by Italy but that such proposals should come directly from the Italian government, whose film monopoly became effective Jan. 1, 1939.

Monterey's New Logiter

Mexico City, April 18.—Though legal has been gone in Mexico, erection of a \$3,000-a-week playhouse has been started in Monterey, eastern Texas border industrial center, by Compañia Attractiones Mundiales, S. A. (World Attractions Co., Inc.).

The theatre, seven-story, is being built on the site of a workers playhouse that had to close because of poor support.

XXX FIX GET R.R.

Mexico City, April 18.—More rules for picture production in the offing with the obtaining of a federal franchise to found here a financing company for the industry. Fernando J. Salazar and Carlos Gonzalez Ariza are the backers.

Shanghai's Wide-Open Gambling

Police Unable to Check 'Cabarets' With \$1,000,000 Nightly Turnover

Shanghai, April 18.—Gambling is wide open in Shanghai, with scores of gambling dens, masquerading as cabarets and ballrooms, being operated. The nightly turnover is stated to be more than \$1,000,000.

Police are powerless to halt it. Fully six gambling resorts put on colored fronts. They have taxi-dancers, floor shows and good orchestras. The shows are elaborate and the artists well paid. Not one of these "cabaret" shows a profit, however, but are good bait for prospective gamblers.

At all of these resorts tough-looking Chinese gun-toting guards are in evidence. They swagger about, frequently producing their huge Miaoars; yet, despite their show of arms, scarcely a night passes without Chinese gamblers, who have won substantial sums, being held up and robbed under the very noses of these guards.

The one foreign gambling resort is operated by a former European ballroom dancer and frequented by the elite.

THUMBS DOWN

Jose Baker Nixed in Mexico for His
Published Show

Mexico City, April 18.—Jose Baker, Argentine actor-writer who is much engaged in stage, film and radio work, has been observed hurriedly throughout Mexico for theatre, cinema and air engagements of any kind because pinned on him cracks he made against them and their industry in an article published by a local mag.

Baker is now on a theatre-radio tour of Central and South America.

Chances Bright for Ease Of Que. Ban on Cinema Attendance by Minors

Montreal, April 20.—Gradual modification of the Quebec law banning minors under 16 from picture houses in this province, which has been under way for some time, has taken a further extension with the announcement by Premier Adolphe Godbout Friday (20) that steps to secure the admission of minors to the districts where shows are approved by a qualified board of cinema will be taken at the present session of the Quebec legislature.

The Quebec government will create a censorship board under the present chief censor, Harve Rock, of this city, and representatives of clergy of all denominations in the province. This board will supervise films believed proper for children and would make rules where necessary, accept or reject the film in its entirety and generally act as supervisors.

This will go far to end a situation that has been operative in this province since 1927, and which came into force after a fire at the Laurier-Piquet caused the death of 17 children. Premier Godbout intimated that it was more than likely that this summer, at the latest, children in Quebec will have wider access to the picture theatres.

Gave 'Em Yank Pictures And Anti-Natives Behave

Darwin, Australia, April 18.

In Darwin, the center of Australia's far-flung northern territory, U. S. pictures are the most favored entertainment. It's admitted that even the black natives, now under governmental control, remain on their best behavior in return for permission to attend the talkies each week.

Certain governmental officials intimated that granting good-behavior natives permission to visit the picture houses was more to ensure local administration covering native control than anything else. Funny, but true, is the fact that quite a number of the natives are easily picked up and proudly displaying their knowledge of U. S. film lingo from their visits to local showings.

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Show Biz Undeveloped in Istanbul, Where East Supposedly Meets West

Karel's \$60,000 U Smit On Italo Deal Starts

Peyton Gibson, secretary of Universal Pictures, will be examined in N. Y. supreme court today (Wed.) in connection with Wilhelm Karel's \$60,000 suit against the company. Karel claims that in July, 1938, acting as Universal's representative, he entered a contract between the company and Giuseppe Mammì of Rome for the exhibition of 11 product in Italy. It is claimed that Mammì paid the company \$400,000 for the rights, and U agreed to pay Karel \$60,000 of that amount.

Universal's answer asserts Karel was hired at \$75 a week, and the work he did in connection with this deal was compensated for by the \$75. Also Universal says that Karel agreed to accept \$3,000 lira in payment for his services, and that money was placed on deposit for him in Italy.

'GONE' NIXED BY AUSSIE EXHIB ASSN.

Sydney, April 18.

With Metro out in open "Gone With the Wind" tomorrow (Wednesday) at its two houses here, the St. James and Liberty, the Exhibitors Association of Australia has refused to play the film according to the terms asked. Metro is asking 75% with guarantee on expenses, some asked throughout the world market.

As a result of the deal made with Metro, "Gone" will play two theatres in Melbourne, where the opening date is June 1. Picture goes into Hoyte's 2,000-seat Regent, and also into the Metro, the M-G house in that city.

Special gala premiere was held Tuesday (26) night at the St. James. Regular run opens at both houses May 1.

Pluggers' Boycott

Continued from page 1.

\$1.50 to \$2.50 and, acting on a clause in its by-laws, it advised its members to stay away from the hotel that night. The professionals did arrange for a get-together at the Edison two nights later (Thursday) when the \$1.50 charge was in effect.

Mrs. Kramer strove back at the publishers' men by instructing Gordon not to accept any new loans from them, but to confine himself to old numbers or those already recommended by him for the Blackbird label.

Mrs. Kramer also recently became peeved at NBC when it taboed the inclusion of her name in announcements of remote programs. She wanted the spot referred to as "Mrs. Maria Kramer's Edison label." NBC said that the air identity would have to be plain "Edison label," or else, and that's the way it has remained.

Noel Coward

Continued from page 1.

look over scripts during four of the six weeks of his holiday leave.

Coward sent Maurice Chevalier his letter "telling" about the war. He's jamming the Calson de Paris and working like a slave on contracts for the troops. He's better than ever and far and away the biggest thing in the French entertainment world, the actor-author stated. Chevalier's featured war numbers include the comic "Song of the Starrylet."

Coward told reporters that Paris night life, aside from Chevalier, isn't. Everything shut tight by midnight.

By HUGH SPENCE
Istanbul, April 18.

Amusements in this famed old Turkish city, where east meets west, is not all propagandizing pamphlet writers for the trimes would make believe. Sheddling the eastern atmosphere, and in long shadows by the mosques, the bazaars and the Galata bridge, the attractions are about the same as those found elsewhere, only wiser.

The cinema, cafes, hotels and theatres, etc., are not what one would expect to find in the last stand between here and Bombay. With the always few exceptions, they are cheap, shabby and uninteresting, but at deluxe prices.

Cinema is the largest part of the amusement sector and everything considered, dish up a fairly good fare. Films are for the most part American and French—the latter product is now getting scarce—with a sprinkling of English and Italian and a few amount of the local output. Yank films that do get to the continent get here almost as quickly as they are shown in Paris.

Cafes and nightclubs as found in London, Paris or Rome are non-existent here. Coffee houses along the main drag pull men customers only—a hangover from the old regime when the women stayed at home. Of the large restaurants where music and dancing can be found there are only three. One on its own is the Regence and the other two are in the largest hotels, the Park and the Taksim. The former offers no floor show and the same six pieces disposes for both dinner and dancing. Band layouts are larger in the hotels and usually one or two acts are added for the draw.

Leaving these, there is a wider offering of salaried with floor show emcees, gangs of gals with little talent. Maximo's, the London and the Floryan lead the lot of this type. Gals do stuff that's plenty good for even a burlesque trouper in the States. Aylan, while in the same class, does make a more honest attempt to gather talent. It's pretty bad as such, but as good as can be found in these parts. Bands in three hotels vary from a mixture of nationalities, with each playing its kind of music to Turks who just don't get rhythm.

Then there is a sprinkling of the smaller haunts, like the Studio and Bazaar, which ape Paris culture, good for the west hours when sentimentalism takes over. Of the out-and-out Turkish offerings, there are film pickings. A few after a singer here and a dancer there, but nothing on the grandiose scale of the particularly Turkish variety. They do blossom in summer, however, when open-air restaurants and salaried put up their signs along the Bosphorus and in scatterings through the city.

Foster-Arnold Prep New London Musical

London, April 18.

New producing team of Harry Foster and Tom Arnold has leased the Prince of Wales theatre to stage twice-nightly musicals. They start with *Alibi*, as yet untried, by Fred Thompson and Noel Gray, with William Mollison to produce and Freddie Carpenter to stage shows.

Maximal, which opens out of town May 6, coming to the Wales the following week, will have a crazy gang of six tenors, George Goe, Billy Bennett, Max Wall, Max Hawn (the comedy member of Ambrose band), Graham Muffat and Wylie Walsh. Evelyn Dail, also from the Ambrose aggregation, and Phyllis Moshman will be female leads.

Some concern has bought *Divorce for Chryseides* by Lieutenant-General George Mollison from Jack Buchanan, in which Frances Day will co-star with a film name. Negotiations pending to bring over Herbert Marshall from Hollywood, or there's a possibility Metro may lead Robert Montgomery, who is anxious to stay in London awhile after completing *Thames's Henry* movie for Metro. Felling these choices is likely to fall on Rex Harries.

First Two Openings SENSATIONAL!

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DEAR WED: THE WORLD PREMIER OF "IRENE" AND THE PERSONAL APPEARANCES TODAY AT THE FIFTH AVENUE THEATRE OF ANNA NEAGLE AND HER PRODUCER DIRECTOR HERBERT WILCOX WERE A HUGE SUCCESS. IT IS THE BIGGEST OPENING DAY WE HAVE HAD IN SEVERAL YEARS WITH THE EXCEPTION OF "GONE WITH THE WIND". THE AUDIENCE REACTION IS TERRIFIC AND IT IS DEFINITELY IN THE AIR AND ACCEPTED AS A GREAT PICTURE. I AM CONFIDENT IT IS IN FOR A FINE RUN. ANNA NEAGLE IS ONE OF THE MOST CHARMING PERSONALITIES I HAVE EVER MET AND THE SAME GOES FOR HER PRODUCER DIRECTOR HERBERT WILCOX. "IRENE" IS JUST WHAT THE PUBLIC WANTS TODAY BECAUSE IT IS SMASH ENTERTAINMENT EVERY SECOND. MORE POWER TO RKO FOR GIVING THE EXHIBITOR A PICTURE THE PUBLIC REALLY WANTS. VERY SINCERELY-

JOHN HAMRICK.

**ANNA NEAGLE
RAY MILLAND**

IRENE

ROLAND YOUNG · ALAN MARSHAL
MAY ROBSON · BILLIE BURKE
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Screen Play by Alice Duer Miller From the Novel by James H. Montgomery. Adapted and Screened by Harry Furphy and Joseph McCarty.

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"Meet the Sun Shining"
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"April Flared the Fiddle"
and these two never-to-be-forgotten
hits, sung by the artists who made
them internationally famous
"IDA" ... sung by Eddie Leonard
"GIMME ONE MY DREAMS"
... sung by Blanche Ring

PRINTS NOW
in your U Exchange
for Screenings!

A NEW UNIVERSAL PICTURE!

National Survey on Methods to Up B.O. Finds Exhibs Generally Cool

(Continued from page 1)

houses all playing day-and-night at equal admissions. Another Minneapolis exhibitor thinks admissions should fluctuate with the quality of each picture (an idea also recently expressed by David H. Schickel).

Manager of the Warner circuit in Memphis believes circuits could get bigger grosses out of their houses by giving more pay to their managers. "I know hundreds of good showmen who are running the houses they manage like papered stables because they haven't enough left after paying out all the expenses privately to get out and set up for business," he says.

On exploitation, the manager of a circuit of 18 houses in Ohio declared frankly: "Exploitation is money and effort wasted. We do as little as possible."

From Anderson, Ind., comes a plea that producers make features longer to eliminate double, while in Los Angeles an exhibitor thinks such company should make two to six pictures a year on which admissions would be raised to bring in more money.

Can't Increase Playing Time With Nine-Run Pix

Anderson, Ind., April 30. Harry Vandell, v.p. of Anderson Amusement Corp. and manager of the Paramount, LHM-out independent in manufacturing town of 42,000 here, said:

"This theatre, in common with many in smaller cities throughout the Midwest, rarely gets more than four days of a single picture. With three changes a week, we'd much rather extend time on a big picture than fill out the week with double features. But it takes a top picture for us to stretch into a full week's playing time. Several times we've done it with good results. 'Grapes of Wrath' and 'Dodge City' did well for seven days, but we can't hope to do so with nine-run films unless small-to-medium publicity is tremendous. We would like to cut the double feature permanently, but need a lot of producer and exchange cooperation to do so."

Adds New Gals

"We positively couldn't consider making admissions prices. Too many second-run theatres in this territory are playing top product on repeat dates with a live or live gate tariff. Although our admission scale rarely tops the usual in case of stage shows, we couldn't afford to hike it because of second-run opposition. First runs in this vicinity are forced to operate with 36-day protection; we believe this should be lengthened to from three to six months. In the long run, our attitude is that producers would undoubtedly gain by forcing an extension of protection privileges for first-run houses."

"We are solidly for extra exploitation if it's truly a good film. We've been burned several times in going head-over-heels for a big building by over-the-top. We think a good film gets even better results with extra, expanded exploitation, but the Agni Gabriel signing autographs in the lobby wouldn't drag them in if it's a weak seller."

"One of the best pieces of advice a middle-sized theatre could give producers is this: make most features long enough that double features will be impractical. In booking a picture of 100 minutes or more, for example, we can't conveniently take a supplementary program. This would do much to squash the double-feature menace, and make everyone from customer to producer happier, we believe."

So. Cal. Visions Radical Clearance, Quality Change

Los Angeles, April 30. While exhibitors in the Southern California area generally favor increased admission prices, consensus is that radical changes will have to be made in pricing-clearance, as well as in quality of pictures turned out, before such hikes will be possible. It is admitted that picture house gates should be boosted, but such a boost, exhibitors believe, must be universal all along the line, extending down to the 10c and 20c theatres.

Several statements by distributors chiefs of major companies that more playing time must be given pictures will back little weight hereabouts. Exhibitors, both circuit and indie, are convinced they are getting every

dollar possible out of the present run of pictures. But until the producers awake to a realization that quality must be improved if there is to be a change, theatre operations must, in any drastic revenue battle in this area.

Exhibs Has His Say

Some interesting figures on the lack of foresightfulness of distributors is given by an independent chain exhibitor. In the past three years this company, in one of its locations, played 78 pictures from one company, giving nearly 47 weeks of playing time to these films, and the average profit for the house ran around \$3.65 per picture.

This, the exhibitor says, was due entirely to the 35% and 40% demanded by distributors. These higher percentages would be okay, he holds, if proper protection were given, but any prospect of increasing admissions to secure more revenue from high-cut pictures is precluded by zoning which would permit subsequent runs to show the same pictures at a lower rental, at their lower admission prices.

This exhibitor states emphatically that if producers were to designate two to six pictures at the start of each season for which higher admissions would be demanded all along the line, considerable extra revenue could be obtained and the higher percentages asked would not be so out of place.

Says Charlie Skerwin

Charles F. Skerwin, president of Fox West Coast Theatres, operating around 200 houses in California, Arizona and Montana, and leading this war in the far west, says:

"The West Coast Theatre is getting everything possible out of extended playing time, and any extension of this practice would hardly be possible in this territory. Pictures are played as long as business warrants and in this respect we feel we are getting every dollar possible every week."

"I am heartily in accord with increased admissions, and believe further hikes would be possible if the subsequent run houses joined in. If the principal sales houses advanced their price to 50c, instead of 40c, it would make it possible for the local first run to go up to 50c on general admissions. However, such a move would have to be general all along the line to become effective."

"One of the principal objections to higher admissions at this time is the fact that many producers are turning out more lower-budget pictures than productions classified as A quality and above. Cost of a picture is an criterion as to its headline value. The draw depends almost solely on timeliness of story, punch, action and novelty."

Plenty of Room to Go

"Producers, as a rule, when given \$100,000 to \$200,000 to make a picture, evidently start off on the premise it is to be a B production, and little or no effort is made to turn out a feature with a genuine headline appeal," claims another exhibitor. "As a matter of fact quite a few of the B pictures presently turned out have more appeal than some of the so-called \$1,000,000 productions. Producers must learn that wasted footage and production costs cannot continue to determine a picture classification."

William E. Arthur, president of Capitol Theatres, and one of leading independent exhibitors in the Southern California area, opines that first runs are milking the local territory of playing time, and with moviegoers and subsequent run playdates, every dollar possible is being squeezed out of this area.

"Admissions hikes would be possible, and entirely feasible, if the first run situation were given a little more protection than they receive under the present zoning setup. As the situation is now, subsequent play right on the heels of first runs at lower admission prices. If the 36 houses were to boost their gate to 50c, the 10c houses could advance to 40c and so on down the line."

"If the first runs were given say a 45-day clearance, they could easily boost their general admission price to 50c, but such a hike is impossible under the present zoning setup."

"Additional exploitation of pictures will be an help. After all, there are but three types of films. One, that needs little or no exploitation; a second that some exploitation may be

advantage from a local standpoint to add a few dollars to the gross; and third, the pictures that no amount of exploitation would help."

More Pay for Managers Urged to Hypo Grosses

Memphis, April 30.

Col. Howard Waugh, Warner manager in the Memphis territory, is convinced that the film companies are too anxious to rush pictures into theatres for quick early grosses and then not for some other major effort.

"Let 'em stay as long as there is a public," Col. Waugh says. "Look at 'The Way We Live Now.' We had a good week with it as 'The Way We Live Now.' Then we brought it back and had another good week. Then there was a release party later. And now we're doing it all over again with a fresh cast and we can continue to repeat."

The many good pictures he around on the shelves that could be getting new money. It wouldn't be big money, of course, but then neither is what we drew with the turkeys that fill in those odd weeks anyway."

Mrs. Work for Parents

Waugh says one thing that is wrong with the business today is that too many managers are working for parents.

"How does a big company expect its poor little manager out in the sticks to turn out his heart and soul getting customers into the house when he is barely making a living?" he asks. "I'm not getting personal, but even about my own company. But I know hundreds of managers, good showmen, who are sitting on their verandas, running their theatres like papered stables because they haven't got enough spirit left in 'em, after battling the bill collectors privately, to go out and set up for business."

"A few bucks raise and a put on the back to a lack of the managers, and you'd see the grooves jump like nobody's business. What's a few dollars in a manager's salary if it gives him a whip up an idea that doubles the take for the week?"

There's too much routine and not enough of the old-time showmanship, says Waugh. Admissions might be a little in the brackets where they are already under Government tax, but not above, he believes.

Mpls. Exhibs Won't Aid Prods. On U. S. Rentals

Minneapolis, April 30.

In Minneapolis theatre owners virtually are unanimous in agreeing that producers can expect no additional cooperation from them to boost domestic film rental revenues. They've almost a unit in concurring that any effort to curtail European revenues must come from the production of better pictures and from reductions of executives' salaries and other Hollywood studio and distribution economies.

There also is almost complete agreement among the independent neighborhood and suburban exhibitors and chain operators that extended down-town runs now milk outstanding films before such pictures reach the up-town houses, which, in consequence, do not realize normal profits even during regular playing time. It seems to be a consensus of opinion, too, among the indie that present clearance, favoring producer-owned loop theatres here, hurls sale spots as much that the latter can't put any additional run into the distributor's coffers; that they can't probably spend more on advertising and exploitation, and that admissions positively can't stand any lift.

A few, however, feel that if producer-owned down-town chains would boost admissions while they'd be able to follow suit providing that clearance is shortened. An operator of neighborhood houses, who preferred to remain anonymous, expressed the belief that producers' revenues would be increased if pictures were released on percentage day and date alike to down-town and neighborhood and suburban houses charging the same admission and played in all houses as long as business continued profitable.

Add Angle on % Deal

One prominent independent circuit operator, Bonnie Berger, who owns Twin City neighborhood houses as well as many out-of-town situations, made the novel suggestion that the problem could be solved by the elimination of percentages. He argues that, because of percentages, most exhibitors now are afraid and do not desire big grosses for outstanding pictures for the reason that such bookings are used as a basis for

Suspects Banko Racket, Racket Stops Payment; Bingo K.O. in Akron

Cleveland, April 30.

A neat racket to tag a solo house's bank side pot for \$750 was foisted last week by Frank Curt, manager of Euclid Theatre, when he stopped payment on check an hour after he became suspicious of the winner's too obvious association. Charles Hart, who apparently won it, and Albert Solomon, one of the judges, were picked up by cops for questioning about a counterfeit ticket substituted for the genuine one in the drawing.

Whodunnit plot has so many angles that manager, although identifying both principals in it, won't press charges yet. Curt as well as his house's customers are still burning up every case, but so much as a gambling club which cashed the check before learning it was made of rubber. Bankers of Ohio Villa, left holding the bag, received only two snickers from bank and town's winners when they tried to collect

on the dead piece of paper. When threatened, Curt retorted they would have to sue the theatre to get their money back.

Manager claims Solomon was one of the volunteer judges who handed him the winning ticket after it had been pulled out of the box. Arthur of Hart, who stepped up to take the prize, were so odd that he made an investigation which revealed that Hart's original ticket was still in the box and that the one presented was a phony copy of the prize draw. As result of case, all sales are now having ticket-drawers seal it in a glass case before handing it to any of the judges. Euclid Theatre also added hold-up check to new banks just, making it \$1000 to give customers another chance.

Akron's Bingo Run

Akron, O., April 30.

Akron theatres hope that business will take an upward turn after police had closed all gambling spots and banned bingo in private and fraternal clubs. Bingo has been highly commercialized throughout the Akron and northwestern Ohio area. Several large gambling clubs, in nearby Cuyahoga, Lake and Cuyahoga counties draw huge crowds nightly, and the Akron club in Cuyahoga county operates chartered buses out of Akron nightly. Large fraternal clubs have made bingo a nightly entertainment while beer parlors and 'private' clubs have utilized the revenue from bingo to keep in operation.

Exhibs here two years ago launched a campaign to halt bingo, claiming the game was taking a heavy toll at the boxoffice. Little result was achieved at that time.

EXHIBS PROTEST COLE CIRCUS' SUNDAY OK

Dover, O., April 30.

Theatre operators in the Dover-New Philadelphia district are up in arms over announcement that Cole Bros. Circus is trying to negotiate for a Sunday date at the fair grounds here late in May, probably under the auspices of the State Lodge. They contend Sunday is their best day of the week and that a circus will mean a "blackout" for them.

Kingling Bros.-Barrows & Bailey Circus played here four years ago on a Sunday (July 11) over protests of theatre operators and is reported to have grossed approximately \$10,000 on the day, while the Co-ast did practically nothing.

Extended Runs

(Continued from page 1)

of run. First-run houses usually have too great an overhead to allow them to hold a picture so long it will hurt later runs."

Situation in the subsequent is somewhat different, it is admitted. The longer a film plays in a key sale, Schickel said, "naturally the fewer people there are to see it in subsequent runs. But there is not much can be done about that. That's just the nature of this business or any other business."

Although other cases, none of them further removed from exhibition than Rodgers and Schickel, have advocated higher admissions. The two sales chiefs are also in agreement that a general price rise cannot be expected. There are certain situations, it was said, where prices might be upped, but also some where they perhaps need lowering. No exhibitor, Schickel pointed out, with common sense will keep admissions lower than necessary as it is as little to his advantage as to the distributors.

Schickel also succinctly summed up exhibitor attitude on the need for greater exploitation. Many exhibitors have contended that Hollywood doesn't help any because the public "wants 'em out." Schickel declared, "Sure they want 'em out, but their zero's better on a picture that's well exploited."

UA sales chief also had an answer to those exhibitors who complain that long runs pile up too much product that must be played. "It should be remembered," he declared, "that for every day out from the potential run of a money-making picture there is going to be an equal number of days of some future time when a dog will have to be played to fill in."

Upped Admish 'Suicide,' Ballyhoo 'Waste' in Ohio

Hamilton, O., April 30.

Tracy Barham, general manager Hamilton Theatres, Inc. 118 theatres, first and second run, in Ohio, Kentucky and West Virginia:

"We play pictures in all our houses as long as we figure in advance that they will stand up, and do not consider extended playing time. Our past experience enables us to judge pretty accurately just what a picture will do in our various situations, and we book accordingly. In our first run, we normally play an A picture Sunday, Monday and Tuesday. Occasionally, in the case of a big picture, we open on Saturday, and in some instances, where we open on Sunday, we will bring the picture back on Thursday, skipping Wednesday, when we book a single picture in connection with 'Weekend' 'Pymon's Night' and the like. We milk everything out of each picture during the booking on which we have determined in advance."

Considering Lower Prices

Personally, I consider it suicide to up admissions. In fact, we are seriously considering lowering our scales in certain situations, at least, feeling that we will thus increase our business. This belief is predicated on the fact that some months ago, we upped prices in some of our theatres, which showed down attendance somewhat, but this was rectified when we subsequently reverted to the original scale.

"As for exploitation, we do little or nothing. Exploitation, in my way of thinking, is simply money and effort wasted. If we have the pictures, we will get the business. If we haven't, then no amount or type of exploitation will bring in the customers. The public is mighty well informed, through magazines and the radio, on practically every picture. We don't need to tell 'em. In most cases, they tell us. If it's an outstanding horse picture, or something out of the ordinary, we stress it in our advertising, to a certain extent, but exploitation doesn't help."

FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases at all the American distributing companies for the current weekly period. Data of reviews as given in VARIETY and the running time of prints are included.)

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Reel to Reel—Reel to Reel Key to Film Abbreviations: R—Reel; C—Cinema; D—Drama; M—Musical; W—Western; S—Science Fiction; H—Horror; T—Thriller; F—Fantasy; G—Gothic; L—Love; A—Adventure; B—Biography; E—Education; I—Industry; J—Jury; K—Kings; N—Nobles; O—Others; P—Pirates; Q—Queens; R—Rulers; S—Scientists; T—Teachers; U—Unlabeled; V—Villains; W—Wonders; X—Xenophobia; Y—Yokel; Z—Zany.

WEEK OF RELEASE	Reel to Reel	TITLE AND COMPANY	TYPE	CAST	R. T.
5/1/40	1/14	BULLETS FOR MYSTERY (Columbia)	W	F. Starvo-L. Guy	87
	2/14	SEVENTEEN (Paramount)	W	J. Cooper-B. Field-G. Kruger	70
	2/14	STRANGE CARGO (M-G)	D	J. Cooper-B. Field-G. Kruger	111
	2/14	LITTLE GUY (RKO)	W	J. Cooper-B. Field-G. Kruger	65
	2/14	CHARLIE CHAN IN PANAMA (MGM)	M	J. Cooper-B. Field-G. Kruger	67
	2/14	DOUBLE ALICE (U)	M	J. Cooper-B. Field-G. Kruger	68
	2/14	HOUSE ACROSS THE RAY (UFA)	M	J. Cooper-B. Field-G. Kruger	69
	2/14	DR. EDDIE'S MAGIC BULLET (WB)	D	J. Cooper-B. Field-G. Kruger	100
5/8/40	2/14	OUTSIDE A LITTLE LIME (Columbia)	W	J. Cooper-B. Field-G. Kruger	84
	2/14	GREAT COMEDY (M-G)	C	J. Cooper-B. Field-G. Kruger	70
	2/14	SHIRAZ NIGHTS (MGM)	M	J. Cooper-B. Field-G. Kruger	70
	2/14	SHOWDOWN (Paramount)	W	J. Cooper-B. Field-G. Kruger	82
	2/14	ISLE OF MISTERY (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	RAVENS (U)	M	J. Cooper-B. Field-G. Kruger	88
5/15/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
5/22/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
5/29/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
6/5/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
6/12/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
6/19/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
6/26/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
7/3/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
7/10/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
7/17/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
7/24/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85
7/31/40	2/14	THEY WITHOUT NAMES (Columbia)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (M-G)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (MGM)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (Paramount)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (RKO)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (U)	D	J. Cooper-B. Field-G. Kruger	85
	2/14	THEY WITHOUT NAMES (WB)	D	J. Cooper-B. Field-G. Kruger	85

Inside Stuff—Pictures

Gene Herman, newspaperman of Silver Spring, Va., is credited with "Vigil in the Night" with saving the life of his two-year-old boy. One major climax of the film comes when Ann Shirley as a night nurse in a children's ward finds one of her charges has stopped breathing and brings it back to life by putting her mouth to his nostrils and forcing her breath into his lungs.

Short time after seeing the film in Washington, Herman found his own baby had stopped breathing as result of a convulsion from teething. While his wife called a doctor and the fire department emergency squad with oxygen, Herman did exactly what he had seen Anne Shirley do. By the time help arrived, the baby was again breathing. Physician said Herman's action had saved the child's life.

Tokio police recently "rescued" a woman's life, a Chevrolet showman whose identity was kept secret. He stopped at a downtown Tokyo hotel after a hard drive, and became involved in an automobile blowing their horns in an alley right before his room. As he leaned over the window to see what all the noise was about, a building, returning to the hotel with mail, saw him. He reported to the hotel manager that a man was trying to commit suicide and police, reporters and photographers were soon on the scene.

The showman told police in sharp terms that he lived life, had no intention of jumping from the hotel window, and that if he ever did want to jump from a hotel window he wouldn't pick this particular hotel.

Long closed husband and/or wife, shipwrecked on a South Sea island, is the theme similarly used in two current releases. Pictures are "The Merry Widow," produced by Wesley Ruggles for Columbia release, starring Joan Arthur, Fred MacMurray and Maureen O'Hara, and RKO's release of Leo McCarey's "My Favorite Wife," starring Irene Dunne and Cary Grant.

It is MacMurray in "Widow" who turns up after shipwreck liberation to discover that his wife has remarried. In "My Favorite Wife" Irene Dunne returns home on the day her husband, who has had her legally declared dead, remarries and starts new home.

The added burden placed upon the Paramount organization, through the violent upheavals incident to the development of war and by the litigation instituted by the Government against the industry, was especially noted by Barney Balaban, Pres. in his statement to stockholders accompanying the annual report which went out last week. He said that this "requires more than the usual acknowledgment and expression of appreciation of every member of the Paramount and affiliated organization, for their constant and continued loyal support and cooperation."

The Hollywood Fund, for purpose of helping out-of-work English actors due to the war, and which was founded by Elizabeth Allen, has \$4,500 subscribed by the English film industry. Subscriptions have now been stopped due to the American neutrality law.

Leadership, comprising Olive Brook, Adrienne Allen, Marie Lohr, Valerie Hobson, Elizabeth Allen and Anthony Asquith, have formed a committee to keep the fund going.

Typographical Union, Local No. 8, St. Louis, which has 2,000 members, issued orders to the St. Louis Post-Dispatch (Publisher) for its services to the community in leading the fight that resulted in the debarment of John P. Mah from LATE, Local 142, and from the position of first v.p. of the international body. In a resolution last week the rag was roundly praised.

Fewer loyalty to screen favorites undergoing severe test in the United States. Currently headlines have Ann Sheridan accepting for Signal Corps, Tyrone Power and Irene Dunne among them to "go further with Richard," and Joan Bennett starring for Helium brand. It's a new high for this sort of sentimental tag-a-war.

New York Theatres

GONE WITH THE WIND
With the complete 12 Reel
G.W.P. with all the stars and
at special prices...at last!
ASTOR
ALL SEATS RESERVED
Times Daily 2:15, 8:15 & 9:15

Capitol
and the best
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

State
and the best
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

IF I HAD MY WAY
With the complete 12 Reel
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ASTOR
ALL SEATS RESERVED
Times Daily 2:15, 8:15 & 9:15

PARAMOUNT
and the best
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

RKO
and the best
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

STARTS FRIDAY 3
JOHN GARFIELD
ANNE SHIRLEY
IN
"SATURDAY'S CHILDREN"
A New Warner Bros. Picture
GUY LOMBARD
and His Royal Canadians
STRAND

MUSIC HALL
and the best
CLARK GABLE
JOAN CRAWFORD
"STRANGE CARGO"

CBS Again Writes Its Affiliates Urging ASCAP Pact Be Ignored

The Columbia Broadcasting System issued another memorandum to its affiliated stations on the ASCAP situation last week. Herbert V. Abernethy, V. S. is in charge of station relations, but his signature in this case. NBC wrote one to its own affiliates a month ago, but there has been no follow-up.

Copy of Abernethy's note follows:

Dear Mr. [Name]: Since Mr. Klauber's letter of April second, the situation on the music front is progressing entirely satisfactorily. Broadcast Music, Inc., has secured the Cole catalogs and has closed other deals, and current releases of new popular numbers are now being made available to us. Our own efforts in the past three weeks have resulted in substantial elimination of ASCAP numbers on our schedule containing programs.

You will also be interested to know that, in spite of the fact that no response was required to Mr. Klauber's letter, a large number of stations have voluntarily written expressing their appreciation and endorsement of Columbia's position. Other stations to whom we talked since this letter was received by them have also taken the same position. No station has indicated any disposition to accept the ASCAP suit.

As many have expressed it to us, this unanimous reaction is conclusive proof of the complete failure of the old ASCAP tactics of "divide and rule." This first, and perhaps decisive, battle having been won, we are even more convinced of the ability of broadcasters to break the ASCAP stranglehold on our industry.

If you have not already written us, I would certainly appreciate hearing from you and getting your reaction.

Sam Moore's Commission

Los Angeles, April 26. Thelma Lynn Le Morrison has asked the State Labor Commission to arbitrate his percentage suit against Sam Moore, former writer on the "Good News" radio program for Maxwell Cotten.

Agree demands \$1,488 as 18% of Moore's \$830 weekly salary since July 3, 1939.

WLOK, Lima's Claim

Lima, O., April 26. WLOK, Lima, believes it has set some sort of a record. The station has not used a single photograph received since January 1, 1938. Agents on other Ohio stations can duplicate that claim.

Station averages 47 minutes a month.

Klauber Meets As ASCAP Spies An Angle in His Op.

Edward Klauber, CBS executive, is recovering from a gall bladder operation performed on him at the Doctors' Hospital, N. Y., five weeks before last. It is expected that he will be discharged from the hospital by the end of next week. His doctor has urged him to take it easy for some time and the indications are that he won't be back on the job for at least another five weeks.

There's an impression in ASCAP circles that Klauber's indisposition may be used by William S. Paley as a way out for assigning some one else from his official ranks to represent the network in negotiations with the Society but this was refuted as absurd by those close to Paley.

DOUGLAS L. ELLMAN AS RADIO SPONSOR

Douglas L. Ellman, New York realtor, will sponsor the "Singer's Column of the Air" over WQXR, New York, Mondays and Wednesdays. Kelly Haas is the agency. Program is broadcast Tuesdays and Thursdays by Betty Harnett with, and Fridays by Dorothy Harnett.

Huggins' beer has bought a series of twice-daily half-minute transmitted announcements six days a week over the same station. Ruthless & Ryan placed the business.



Nick Stenamer

WFTS's new sports announcer, recently returned from Ft. Lauderdale, Fla., where he spent last winter with the Syracuse International League "Chiefs".

Stenamer cut daily platters of trading realties and Florida chatter for one at WFTS on his long-up slightly sports review. Now he is bringing play-by-play sports of the state's games to fans in headquarters Syracuse area.

KSD FIRST A.P. 24-HR. CUSTOMER

St. Louis, April 26. KSD, owned and operated by the Post-Dispatch, is the first newspaper-owned station to apply for, and receive, 24-hour Associated Press news service since AP revised its stand on radio feeds. The extended service which got under way Saturday (27) will augment the regular AP news feed which is twice on Sundays, and seven times daily.

A separate wire system is used for delivery of the radio reports. The new service will bring with it specialization in the editing of AP news reports by radio news experts.

Detroit Sells Acct. Imports Harnett For Nick Web Show

Detroit, April 26. One of most ambitious shows ever attempted by a Detroit station, WXYZ's half-hour musical program with Gus Harnett, beginning this week Thursday (27) over WXYZ and Michigan network. Harnett, who'll phone here every week from New York, will direct a 26-piece all-star band in WXYZ's subscription studio in Manhattan building.

Debut on new 26-minute show also will be imported, two imported for initial program being Tom Thomas, winner of 1937 Mel audition, and Margaret Dunn, who made debut with Mel in soprano role of "Mousetta" and has been vocal on several network shows.

Show will be broadcast every Thursday at 7:30 p.m.

KROGER EXPANDING MIDWEST SCHEDULE

St. Louis, April 26. Kroger Grocery & Baking Co., Cincinnati, through Ralph Jones Agency, has signed for sponsorship of a 15-min. daily sports quiz program over KWK to run during the entire baseball season. Program tagged "Sports Trivia" with "Mr. Kroger" will present the play-by-play of all home games of the Cards and Browns which is broadcast by Flashed beer. Broadcast will originate from KWK booth at Sportsman's Park and will feature John Nebel in a quiz act-to with four persons daily. \$1,000 in cash will be staked out during run of program.

Kroger also inked another contract with KWK, a five-a-week serial drama, "Life of Mary Mothers," which started yesterday (Monday) runs 22 weeks.

Cleveland, April 26. Kroger Grocery & Baking Co. renewed its contract with WGAN for five nights news broadcasts. Carl George reports the series on 6:30 a.m. and for 15 minutes. Contract runs 22 weeks.

Bob Jackson, WJW announcer, Akron, has become production manager at the station.

Mutual's New 76-Station Discount Structure Directed at NBC Blue

Mutual Network is putting an entirely different discount structure into immediate effect. This one, primarily framed to undercut the NBC-blue job, offers discounts on the basis of not only 13 and 26 weeks but for 26 and 52-week periods. An account to be eligible for the new Mutual discount must buy a minimum of 76 stations. For comparative purposes Mutual is using the rates asked for the 76 stations in the blue's minimum requirement.

Included in the list of Mutual stations that have agreed to the substantial discounts are WGB, Newark, and WGN, the network's two main keys. Later have also agreed to new clearance stipulations. If Mutual can clear for an amount on WGB at a specific time WGN will now make the parallel period available on its own schedule. The same applies in reverse for WGB.

Under Mutual's new discount structure an advertiser is given the choice of plugging 14 supplements in any part of the country as long as he has committed himself to buy the 76 basic stations. Among the stations that come under the new discount are CKLW, Detroit; WNK, Cleveland; the Don Lee Network, the Columbia Network, WKBC, Cincinnati; WIP, Philadelphia; WGL, Washington; RGV, Pittsburgh; WCRB, Baltimore; WGN, WABW, Buffalo; WHAV and KSNR, St. Louis.

Following is an excerpt from Mutual's new volume discount plan, with the NBC-blue comparison the same as those cited by Mutual:

(10% PER WEEKLY BASIS)				
	Quarterly	Half	Year	Five 1/2 yrs.
12 weeks	\$1,148	4,555	7,655	14,355
26 weeks	2,584	4,279	7,155	13,555
36 weeks	2,770	3,880	6,675	12,880
52 weeks	3,223	3,410	6,125	10,180

NBC-BLUE				
	Quarterly	Half	Year	Five 1/2 yrs.
12 weeks	\$1,328	4,851	7,875	13,375
26 weeks	2,319	4,251	7,075	13,325
36 weeks	2,319	4,251	7,075	13,325
52 weeks	2,884	4,213	6,885	12,185

YOUTHBUILDERS' AWARDS

Mrs. F. D. N. Sparks at Luncheon of New York Group May 5

Mrs. Franklin D. Roosevelt will speak at a luncheon May 5 given by Youthbuilders at the Hotel Marlborough, N. Y. NBC blue will carry half hour of program at 7 p.m. Awards are being made to various organizations in radio (news, newspaper and film) that have helped the cause of democracy.

Novelty angle on these particular awards is that the winners were made, it is stated, by children, not by adults. Youthbuilders, having taken a tangent away from the ribbons, has stressed that it is interested in what the kids, not parents, think about radio programs.

Channing Pollock and Cranky O'Leary are on Youthbuilders' board. Ralph Harnett is director, John Erickson treasurer, and Elizabeth Seibert, secretary.

RADIO-PAPERS RENEW WOO PITCHING IN L.A.

Hollywood, April 26.

That mad-on-the-downside sheets have with radio is gradually wearing off. First it was the Daily News, then the Times and now Hearst's Herald-Examiner that have struck trade deals with the stations. Hearst's proposal is with KFI for a half hour weekly to broadcast "The Herald-Examiner," a localized version of March of Time. Don Clark writes and produces. In return, Bernice Smith, KFI-KRCA p.m., does a column on the station's personalities and programs.

Daily News recently made a similar deal with KFI so that Publisher Manchester Boddy could have time for his weekly commentary on current events. The Times group is with KNE for Bill Henry to exploit his column.

'Song' Sets for Fibber

Hollywood, April 26.

Meredith Willson's "Amusing Stage," starring NBC's comedian, will fill the 12-week summer slot for Johnson wax while Jim and Marian Jordan (Fibber McGee and Molly) take their mid-year layoff.

Carl Underwood continues as producer and Don Quinn will write the show.

JENNINGS BACK IN HARNESS

Portland, Ore., April 26.

Curry Jennings, manager of EDW, back on the job after serious illness which put him in the hospital for two weeks with a blood clot on the temple. Doctors have ordered him to take it easy and avoid overtime. Otherwise he's well on the road to recovery.

DODGE MULLS NETWORKING

Ruthless & Ryan is discussing with Dodge the idea of going network. It would be a news commentary on the basis of from three to five times a week.

For years Dodge has confined itself to spot campaigns, using either announcements or transcriptions on a co-operative basis.

NBC Kills Coast 'Woman's Mag' After 12 Years in the Red

San Francisco, April 26.

Sudden retrenchment due to an overstaff at NBC has resulted in the discontinuance of the "Woman's Magazine of the Air" and the lay-off of 36 persons active on the program. Proved non-paying this last year, the program has been heard Monday through Friday for the last 12 years, and employed secretaries, artists, producers, continuity writers, and musical librarians.

Artists affected by this cut, but still active on other NBC shows, are Hazel Warner, Henry Walker, Ruth Saragat, Helen Morgan, Richard, Edna Fisher, Charles Girard, Helen Knecht, Camille Roma, and the Knickerbocker Quartet which includes Armand Girard, George Nibson, Roland Drayer, and John Telf.

Ed Cashman on Kay Kyser Show for Lord & Thomas

Ed Cashman, formerly CBS staff producer, has joined the radio department of Lord & Thomas, and will direct the Kay Kyser (Lucky Strike) show on the NBC-red Wednesday night. Earl Schallinger has been transferred from the production of this program to the newly created assignment of contract work and supervision of all Lucky Strike programs.

Schallinger will report to Carl Stanton, executive on the account.

KNBC Sets Sam Bennett

Kansas City, April 26.

Sam H. Bennett becomes director of sales at KNBC effective May 15. He will supervise all sales efforts including local, regional and national spots. Carter Ringler, formerly manager of sales service, will be regional sales manager, concentrating his efforts on KNBC's regional accounts.

Bennett is from Texas, where he was managing director of the Lone Star Chain and previously with KFFL and KATV, Fort Worth.

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HOLLYWOOD
1708 No. Vine St.
Hollywood 1141

NBC RECOUPS RED OPTIONS

ASCAP's Annual Dinner

In the Music section, page 27, this week, is a detailed account of ASCAP's 28th annual dinner, which this time was more than a usual party at the Elton-Carlton, N. Y. Preparing for the evening battle with radio over copyright renewals, ASCAP members significantly refrained from backing speakers, or introducing resolutions designed to embarrass the board of directors. Says decidedly let it be known that they are working under a united front for the duration of the war. Significant also was the nature of the attendance, which not only came to around 500, but also prominently included widows of well-known composers.

Town of 4,000 to Curb Static By Cutting Offenders' Electricity

By HARRY E. BILLINGS

Richland Center, Wis., April 28. Use of static-creating electrical appliances will be officially banned in this city of 4,000 after tomorrow (May 1) under order of the city council. Protest against interference with reception of radio programs has been so emphatic that people responsible for the weird noises emanating from loudspeakers will have their service shut off by the municipality unless they agree to install devices to eliminate the noise. Most of them failed to do so, and pressure was put upon the city fathers. Now they have issued the new order.

Electricians for the city will start jacking the trouble tomorrow. Whenever customers have not been installed the electricians will install them and add the cost to the householder's next light bill. Refusal to permit the installation or to pay the bill submitted by the city will result in power being shut off immediately.

Same Procedure

Action taken by the Richland Center city fathers is one of the few of its kind during the past 14 years. Not since 1926 has any municipality kicked up a similar case over man-made interference via-a-via radio reception. In 1926, Bay City, Mich., got started up over regenerative radio sets—which emitted fly-like hums when tuned—and issued a decree for \$2 to set-owners. The procedure being used to start out offenders owing the regenerative pellets. In the same year the State of Washington considered a bill to license receivers for \$1 to stamp out man-made interference (power and light lines, etc.). Nothing ever came of this law.

The incident 1928 trend toward enjoining died out when the Radio Commission was created, the assumption being that the Commission would handle the interference problem. But the old Radio Commission and the FCC have struggled manfully, but the trouble still crops up. Which is one of the big reasons that frequency modulation has had such a rapid impetus.

WWJ Reconsiders 'Put o' Gold' Fate

Detroit, April 30.

WWJ, which gave NBC formal notification of its cancellation of "Put o' Gold" show several weeks ago, has decided to sponsor a program that it withheld final action until station execs have studied "Tomb" revival show, which hits screen tonight (30).

W. J. Scripps, WWJ general manager, announced several weeks ago station was cancelling program because it deemed show "is not in public's best interest." But given no assurance that he will not carry on his announced cancellation, but decided to wait until revised show hits air and he's had time to study it.

Asks 50 Kw. for F-M

Hartford, April 30.

WTIC Hartford's frequency modification after cpm, WISN, has asked the FCC for 50,000 watts. It now operates at 1,000 watts (approx.) monthly.

Treasurer's on Aron Mountain.

Armour Baying

Armour Packing, Chicago, is going into 12 markets with a three-day-a-week series. It's unusual. Lord & Thomas office in Chicago is handling.

O'KEEFE-Y. & R. DECISION IS RESERVED

Decision was reserved Monday (30) after a five-day trial of Walter O'Keefe's \$40,000 suit against Young & Rubicam, Inc., for alleged breach of contract. New York Supreme Court Justice John E. McGowan gave both sides until May 26 to submit briefs.

O'Keefe claims he was hired on Nov. 15, 1937, to do a series of 28 broadcasts for the Packard Motor Car Co., starting Jan. 4, 1938, and ending May 31 at a salary of \$4,000 weekly to March 1, and \$5,000 thereafter. He claims discharge without cause on March 1 when the program was suspended. The majority of the defense testimony attempted to show that Packard had gone off the air due to poor business conditions.

La Roche on Stand

Monday, (30) the last day of the trial, Chester La Roche, Y & R president, took the stand. Under examination by his counsel, Arthur DeBartol, and cross by Louis Finkelsch, he said that after making a trip to the Coast Jan. 18, 1938, he told O'Keefe of the bad conditions in the same industry, but admitted not discussing cancellation of the contract with him. La Roche said that he discussed with his staff the advisability of keeping the show on the air, and it was decided at that time to avoid cancellation until the last moment, for if conditions improved, Packard would keep the program. Should they have notified NBC of the intended cancellation, their time would have been sold elsewhere. La Roche told the judge that time is a very important element, and that it cost approximately \$12,000 weekly. He drew laughs from the courtroom when he declared that the price paid on a program does not determine its quality.

Finally it was decided to recommend to Packard that it go off the air, La Roche said. He professed to be well satisfied with O'Keefe's work, and it was decided to try to secure him another agent. It was also brought to NBC's attention that O'Keefe, expecting the program to last to May 31, had taken a leave in Hollywood. Under cross-examination it was admitted by La Roche that in November of the preceding year, he had also known of the poor conditions in the radio industry, but that the program started. He also admitted Packard had the right to cancel its contract with NBC without cause, at the end of any 12-week trial.

Pasadena, Ore.—Alice Jay, singer on KJW, known as the "Princess of the Desert," left the Pacific Northwest to take up an engagement with KTUL, Tulsa.

AFFILIATES ASKED TO CEDE PM 1/2 HR.

Food for Managers to Herald Reclaim on 7:30-8 P.M. Stretch—May Mean \$2,500,000 to Web—Cite NBC Position vs. CBS Contracts

NO TROUBLE FORESEEN

NBC has started to take back some of the local option time that the network allocated to affiliates when it set up its radically different station compensation contract five years ago. Affiliates on the Red network have been invited to a luncheon and meeting at the Hotel St. Regis, N. Y., today (Wednesday) for the purpose of being informed by Miles Tremont, NBC executive v.p., that it will be necessary for NBC to reclaim the 7:30 to 8 p.m. period. The stations will be informed that economic expediency makes this measure imperative, and that anyway they will still be far better off than CBS affiliates, who aren't permitted to negotiate any time at all for themselves.

Ample opportunity will be allowed the Red affiliates to liquidate any commitments they now have with national spot or local accounts for this 7:30 to 8 p.m. period. NBC anticipates no difficulty in inducing the Red stations to comply with the requested concession. For practical purposes the concession has prevailed for some time as far as Monday night is concerned. On that evening Lucillard's "Dinner and Swing" program makes use of a booking of 19 stations from 7:30 to 8 p.m. NBC states that it does not have any other particular accounts that are ready to obligate themselves for extensive networks in these periods.

No Trouble Foreseen

With the eliminating of the 7:30-8 p.m. segment from the affiliates' option slate, the Red stations, NBC figures, will be still well off when it comes to dipping into the velvet from spot and local advertising. They will have for themselves the 8 to 7 p.m. period, the stretch from 12 to 1 p.m., and all time prior to 12 a.m. EST. Under the new dispensation, NBC's controlled time on the Red network would extend from 7 to 11 p.m. The evenings dropped in the concession are from Monday to Saturday, inclusive, and as far as additional network income is concerned it might mean as much as \$2,500,000 a year. Under the contract now in effect, NBC retains control over the Sunday 7:30 to 8 p.m. period.

NBC yesterday (Tuesday) denied

NBC Urging 50 Kilowatts for KFBK To Back Up Coast Blue; CBS in Line For 50,000 on KSFO, 10 kw on KIRO

A New Air 'Showboat'

Chicago, April 30.

Tremont Keyes of the Russell M. Brady agency here has purchased the radio rights to the title "Showboat" and will utilize it for his Brown & Williamson account. Present show known as "Home Town, Uncompromised," will be switched to the "Showboat" tag and Keyes is now in the midst of a hunt for a Cap's Andy.

In format, "Home Town" is similar to the old "Maxwell House Showboat" program, being located in a small town hotel instead of a boat.

SCHENECTADY'S KIDS TUNED IN 'TIL 8 P.M.

Schenectady, N. Y., April 30.

A survey conducted among 1,624 Schenectady public school children in the 7-12 year range revealed that 1,339 reported radio in their homes and that the largest number, 1,062, listened to programs between 7 and 8 p.m. Figures released recently by WUT on five-a-week checkup, made earlier in year, gave 7 Love a Mystery (then but no longer aired over NBC and WUT from 7:30 to 7:58 p.m.) top ranking. Other leading programs were listed in this order: "Gang Busters," Maxwell House's "Good News" with Fanny Brice as "Baby Bunch," Jack Benny, "Big Town," "One Man's Family," "The O'Keefe," Chase & Gardner Edgar Rogers-Charles McCarthy half-hour, and "The Shadow." "Gang Busters" is the only one of this group not aired over WUT.

In serial rank, "Jack Armstrong" was stated to be top in popularity, followed by "Tom Mix," "Lone Ranger," "Little Orphan Annie," and "Blondie."

the report that the network was on the verge of announcing that it was eliminating the combined discounts for the Red and Blue networks. Under this arrangement a client who has ordered his maximum discount on the Red network is automatically entitled to a similar discount on the Blue.

NBC is reported as interested in having KFBK, Sacramento, go 50,000 watts so that the NBC Pacific-Blue will be protected against a possible coverage gap when KJCA, San Francisco; KEX, Portland, and KJR, Seattle, move into the 50-kilowatt class. The latter are eligible in this band, but in order that other outlets on the same channels won't suffer interference the coastline transmitters will, at necessity, have much of their signals directed out over the Pacific.

This situation, NBC anticipates, will create a gap along the upper eastern portion of the Pacific coast, which problem might be solved by KFBK's going 50,000-watts, and shooting a north-south signal into the open area. There is no technical objection to KFBK, located within this upper eastern portion, directing its signal northeast and southwest.

Columbia is also due to gain under the proposed realignment of station power in this area. KSFO, San Francisco, is eligible for 50,000, while KIRO, Seattle, is slated to go 10,000 watts. KGA, the Blue's Spokane affiliate, will continue its band to 10 kilowatts.

WOR Wins \$11,244 In Ramdell Breach Of Contract Judgment

WOR, Newark, got a partial summary judgment against Ramdell, Inc., and its agency, William Irving Hamilton, Inc., in a breach of contract action from Judge H. W. O'Conor in the N. Y. Federal court last week. The verdict was \$11,244. The station had asked for a judgment of \$10,000. The court ruled that WOR might be entitled to more if it proved that it tried to get another sponsor for the abandoned program, "The Johnson Family," during the temporary period of the Ramdell contract.

The Hamilton Agency last September informed WOR that the contract on "The Johnson Family" was cancelled as of Oct. 30 but the station refused to accept the cancellation and continued the program at its own expense until Dec. 5. WOR asserted that the renewal it got from the amount carried no cancellation clause.

Newell's Ford Series

Hollywood, April 30.

Jimmy Newell, radio baritone and comedy actor, goes on the Ford summer show as vocalist with Jessica Dragonette.

Linton Waller has signed to be an institutional spot on the Ford summer series starting May 15. He'll be billed as the "Boogie Reporter" and will give educational talks about the Ford plant at River Rouge, Mich. Deal was set by CBS artists bureau.

Turns After Breakfast!

Chicago, April 30.

Turns, through Black-Globe here, has purchased two spot schedules on the NBC "Breakfast Club" show. Max picked up contracts on KJW, S. Louis, and WJZ, New York.

WJZ has a 15-minute show weekly.

Peter Vanover Chose

Seattle, April 30.

Hugh Feltz, commercial manager of KOMO-KJB is chairman of radio division for Pacific Advertising Association convention at Vancouver, B. C. July 1-18.

Dempsey-Koplowitz Quit F.C.C.

Legal Chiefs Hanging Out Own Shingle — Battled 1,000 for Gov't

Washington, April 30.

High-paying FCC lawyers, who have not had a major case since they took over the legal work after the Mitchell purge, will hang out their shingle in private practice soon as Dempsey & Koplowitz. Long-awaited resignations of William J. Dempsey, general counsel, and William C. Koplowitz, his principal aide, were submitted suddenly to the Commission on Thursday (28) despite repeated demands any imminent action was likely.

The Dempsey-Koplowitz team—known in industry circles as the "Kalmann-Koplowitz boys"—had established the New Dealist strategy that Dempsey has been charged to place public service ahead of their own interests, besides laying the ground-

work for stringent regulations to stamp out monopolies and bring about more intensive Federal scrutiny of every move—financial or technical—made by station owners.

Dempsey, one of the only Congressmen from New Mexico, was taken over to the FCC as personal brain-truster for Frank R. Mallory and then promoted into the top law department job after the summary firing of Hays Gary. Koplowitz was taken on about the time the chain-monopoly probe started and has handled some of the outstanding policy problems during the past 18 months. Their record in the court is one representing much anguish for industry counsel, who still disagree with many views which Dempsey and Koplowitz induced various judges to uphold.

Ohio Convention Crosstalk

Attention which Variety recently directed at dramatizing the Bible on the air resulted in a last-minute decision by the Institute to add a group meeting on religious education under the chairmanship of the Rev. Frank Nelson, Presbyterian, of Lakewood, O. Makes the first time that these institutes have ever included religion.

Station executives, etc., on hand include Marvin Bartlett, WSR, Atlanta; Guyer Rath, WMBD, Puerto Rico; George Sapper and Ed Mann, WLW, Cincinnati; Beverly Brown and Father Charles Chapman, WWL, New Orleans; Ben Darrow, WREN, Buffalo; Robert Deffen, WTCN, Minneapolis; Harriet Edwards, KMOJ, St. Louis; Geraldine Elliott, WJB, Detroit; Maury Freeman, WRNL, Richmond; Kenneth Graham, KMOB, Kansas City; R. L. Harlow, Yankee Network; H. H. Leske, WHAD, Norman, Okla.; Ed Linahan, KJST, Des Moines; Lin Mason, WKBC, Cincinnati; John Merrifield, WHAS, Louisville; Julius Rothman, WOB-Musical; Larry Butler and George Patterson, WAVE, Louisville; Ned Reglin, WBBT, South Bend; John Truett, KWK, St. Louis; Russell Whittle, WTMJ, Milwaukee; Jack Weiten, WGBI, Roanoke.

Frank Mason had his picture in the paper. He's a former Ohio state man, and began his newspaper career in Columbus. Speaking at one of the meetings, he asserted that 75% is passing mark for college graduates, but added that 25% margin for error is big for radio. Some of the petting didn't like it.

Joseph Roth, educational director of WLW, Cincinnati, brought up his staff for a demonstration.

George V. Denay revealed that the Town Hall program will tour as far west as Pacific Coast next season.

Walter Preston and Sterling Fisher representing NBC and CBS respectively were hosts at cocktail parties Sunday night before the institute started.

During the course of a particularly involved discussion on new developments within broadcasting, Abe Schacter quipped 'everything will be much clearer when we get F-M.'

Irvin Johnson, of WBNE, Columbus, was host at a cocktail party to the conventionists Monday (29).

LABOR GIVES CUPS

WJZY Program the Town to Rally-
See of Organized Workers

Washington, April 28. More dividends from 'the labor (labor) program of its type in the country' were gathered last Saturday (27) by WJZY. Marking the sixth year, and the 20th consecutive program, 'Labor News Review' brought its CBS affiliate two new cups for party-taking with union labor—plus an address by U. S. Secretary of Labor Frances Perkins.

Award of one cup was made by John Lusk, proxy of the Washington Central Labor Union, to A. D. Willard, Jr., WJZY's gen. Other cup went to Albert H. Dennis, who missed only one of the 200 broadcasts when kept from the studio by illness. The one shaver was filed by Dennis's daughter, who read the script her father had prepared.

WNYC SIGNOFF NOT SLAP AT WCCO

Highly signed announcement at WNYC, New York, now states that 'the cut has now set in Minneapolis' and 'in accordance with the FCC regulations we are required to go off the air.' This is not, as has been suggested in New York radio circles, a tactical move by the city-owned station to make propaganda capital out of Mayor LaGuardia's recent blast before the FCC at WCCO, the CBS-owned station in Minneapolis that operates on the same wavelength as WNYC.

New York station has used the same announcement since last summer, when it was initiated by plebeian trade unionists who complained at the abrupt termination of the New York Philharmonic's symphony broadcasts from Lincoln stadium, N. Y. Any relation to LaGuardia's campaign is 'purely coincidental.'

JOSEF PASTERNAK, RADIO MAESTRO, DIES

Chicago, April 28. Josef A. Pasternak, 39, conductor for the Carnation Milk Co.'s 'Continental Hour' program out of Chicago, dropped dead yesterday (Monday) at the NBC studios. Pasternak was just beginning final rehearsal for the Monday evening show when he keeled. Artificial respiration and stimulants were administered.

Such account and agency had found in Pasternak what they deemed the ideal conductor for the show, and he had had his option renewed several times, since he seemed to have hit the right combination of general appeal, Ray Shidlo, NBC staff conductor, subdued on last night's show.

Born in Poland, Pasternak studied to become a concert pianist. His first U. S. position, however, was as violinist at the Metropolitan Opera House, where Arturo Toscanini was then conducting. Later he rose to the post of musical conductor of the Met orchestra, and in following years conducted the Boston Symphony and the Philadelphia orchestra. He was musical chief of the Victor Talking Machine Co. for 10 years.

Pasternak entered radio in 1928, and mastered, among others, the Alvin Karpis series, and the Jack Frost Melody Moments. The similarity in names, prompted Joe Pasternak, the film producer, to change his given-name. His middle initial also is the same.

Widow and two married daughters survive. Burial in New York.

Mrs. O'Fallon Mending

Gene O'Fallon, owner of KFEL, Denver, left for home Saturday (27) after making sure that his mother, who suffered a broken hip while coming out of a Broadway restaurant with him the week before was comfortable and on the mend. He plans to return to New York shortly. O'Fallon was here as a Mutual directors' meeting when the accident occurred.

Mrs. O'Fallon, who is 72 years old, is at the Minneapolis Hospital, N. Y.

Ohio Educational Awards

Listed below are this year's educational program awards voted out at the Eleventh Institute for Education by Radio, currently being held at Ohio State University, Columbus. To tally the winners, John Carls, professor of radio at the University of Alabama, Elizabeth Gentry, at the Los Angeles schools, and Mrs. Harold Vincent Milligan, long active in fostering higher standards of radio, and from Friday morning until Sunday noon hearing 57 transcriptions filed from the 245 programs which had been submitted in the competition.

In winning an award for the 'Abraham Lincoln' episode from 'Cavaliers of America's' Du Pont de Nemours honors the first runner-up, and appears to get into the select class. To take care of CBS's 'Pursuit of Happiness,' the educators created a special program class and gave 'Pursuit' the whole pond to swim in. On the whole, NBC did better with adult programs than CBS, reversing last year's standing.

1. NETWORK, NATIONAL ORGANIZATION, OR CLEAR-CHANNEL STATION

a. For general use by adults. Leaders, talk, speech.
FIRST AWARD. 'What Makes an American?' From the series 'Meet Mr. Weeks.' Planned and produced by National Broadcasting Company.

HONORABLE MENTION. 'Francis Scott Key.' From the series 'Pilgrimage of Poetry.' Planned and produced by the National Broadcasting Company.

HONORABLE MENTION. 'The Miracle Feast of Thanksgiving.' From the series 'The Story Behind the Holidays.' Planned and produced by the American Historical Association.

HONORABLE MENTION. 'Eleanor Davis and the News.' Broadcast of March 11, 1940. Planned and produced by the Columbia Broadcasting System.

b. For general use by adults. Demonstration or participation program.
FIRST AWARD. 'Tour of Palomar Telescope.' A special broadcast. Planned and produced by Station KFI, Earle C. Anthony, Inc., Los Angeles.

c. For general use by adults. Dialog, round-table conversation, interview, debate, questions and answers.

FIRST AWARD. 'Propaganda.' From the series 'University of Chicago Round Table.' Planned and produced by the National Broadcasting Company and the University of Chicago.

HONORABLE MENTION. 'What Are the Real Issues in the European War?' From the series 'America's Town Meeting of the Air.' Planned and produced by the National Broadcasting Company in cooperation with Town Hall, Inc.

d. For general use by adults. All forms of dramatization.
FIRST AWARD. 'Abraham Lincoln.' From the series 'Cavaliers of America.' Planned and produced by the E. I. duPont de Nemours & Co., Inc.

HONORABLE MENTION. 'Seems Radio Is Here to Stay.' From the series 'So This Is Radio.' Planned and produced by the Columbia Broadcasting System.

HONORABLE MENTION. 'Johnny Got His Gun.' From the series 'Arch Oboler's Plays.' Planned and produced by the National Broadcasting Company.

HONORABLE MENTION. 'My Client, Curly.' From the series 'Columbia Workshop.' Planned and produced by the Columbia Broadcasting System.

e. For general use by children. Any type of out-of-school children's program.

FIRST AWARD. 'Reynolds.' From the series 'Let's Festival.' Planned and produced by the Columbia Broadcasting System.

f. For use in school by primary children (approximately Grades 1-4).

FIRST AWARD. 'Mind the Sign.' From the series 'Let's Sing.' (Continued on page 25)

CONVENTION NOVELTY

N.A.B. Seek May Have Speeding a la
Gridiron Club

National Association of Broadcasters' convention in San Francisco the week of Aug. 4 may introduce a big novelty in the form of dramatizations of radio problems a la Gridiron Club. Sample scripts are now being prepared and, if some group within the industry will sponsor, it may become reality. It would change character of the conventions and bring in industrialists and personages from outside the industry.

Drama Club, radio additimes, of which Lamont Ray and his contemporaries are prime movers, may be the group to take charge of the convention, set for the St. Francis hotel.

WBNE TOPS IN
CENTRAL
OHIO

5000
NATIONAL
100%
HIT

JOHN BLAIR & CO. Representatives

The World-famous **Widdie Brown Derby**—America's best-known place of many Southern California advertising agencies.



W.S.M.

OWNED AND OPERATED BY NATIONAL LIFE & ACCIDENT INS. CO., INC.
National Representatives, Edward Felt & Co., Inc.



Lively Showmanship
WINS LARGER AUDIENCES
in the
INTERMOUNTAIN MARKET
FOR
KDYL
The POPULAR Station
Soo Lake City

NBC RED NETWORK

JOHN BLAIR & CO. REPRESENTATIVES

CLUBWOMEN SPARK SAVANTS

LEADERS PLUG AT OHIO MEET

Institute for Radio Education Has Strong Turnout, Including Commercial Broadcasters—Du Pont Gets Award—Lack of Financial Aid Deplorable

REPRISE ON CAMERON

By ROBERT J. LANDRY

Columbus, April 28.

The 1940 session of the Institute for Education by Radio is in session here (Monday-Wednesday inclusive). It has attracted the largest delegation in its history, some 150 persons, of which number perhaps 50 represent commercial networks or radio stations. This latter contingent represents the newest profession within commercial radio, the so-called educational director. The present gathering is particularly important, not because a bunch of professors and schoolmasters get together to discuss classroom use of radio, but because they are joined by men and women who are pledged to the use of radio in advertising, sponsorship and commercial profits, yet who recognize that the phrase "public service, convenience and necessity" is not just the lingo from some made-for-television.

Club Women Aligned

Two club women leaders, Mrs. Harold Vincent Milligan and Mrs. Dorothy Lewis, both of the National Council on Children's Programs, are also extremely conspicuous at this year's Institute. Although a first time "club women savants," this is probably not the last one. The children's program work of this official of the general Federation of Women's Clubs seemingly has a natural affinity for Columbus in the spring. Both women were present at various group meetings and were frequently quoted by Ed Kirby, Haverth of the movement. The NAB director of Public Relations let the women beautifully for the two species of clubwomen. The two women asserted that children's programs must be primarily entertainment, and must be healthfully exciting and not Easter bunny and pink ribbon stuff.

Some talk was provoked this year by the circumstance that the Radio Institute, perhaps Ohio State's best prestige subject, needed better financial aid badly. It appears to be handicapped in various activities, notably in the judging of the transcriptions upon which the awards are based. The three judges paid their own traveling and hotel expenses, and put in three days of grueling work as a labor of love. Even so the judging was considered hurried. Comment was heard here that this most significant of educational-radio movements, in fact the spearhead of educational radio, is out-harassed while funds are frequently lavished upon all sorts of individual radio research productions having little influence on the educational movement. The Institute has practically no staff, no press

agent, and is financed apparently by the \$2 fee collected for registration. Two other factors were noted at this Institute:

(1) The talks given by W. J. Cameron on the Ford program again threatened to become a hot potato issue, as has been the case at previous Institutes.

(2) General fear on war propaganda, and emphasis upon the alleged differences in viewpoint between the east and the middle west.

Quietly, accumulatively the Ohio State University sounding board each spring has become extremely important both as an idea exchange for pedagogy and an inventory-taking by the radio industry generally. It is here that the networks put their best foot forward, parade their private programs, whang it up for

democracy, wistfully hope for a put on the head. It is here they want to be well thought of. Ohio State is very definitely the rallying point of latter-day collaboration between a previously hostile educational advance guard and a previously loved and reviled industry.

The 11th Year

This is the 11th annual Institute to be held at Ohio State. Which means that, in radio terms, the Institute is Haverthian, or perhaps, in origin, Radio itself, commercially speaking, is only 18 years old. Like all bodies the Institute has a small select company of faithful-from-the-start members. Their names include W. W. Charters, Mrs. Ann Charles, R. C. Rigg, Carl Mincer, Allen Miller, H. B. McCarthy, Joseph Wright, Judith

Waller, Levering Tyson, W. I. Gribble, F. F. Fralich, F. G. Dusham, Mrs. Margaret Waggoner and R. H. Barrow. Of these Miss Waller and Dusham are from NBC and Barrow from WHEB, Buffalo.

This Institute was, and is, the means of the stations which are never mentioned where advertising contracts are discussed, the non-commercial outlets such as WOSU, Columbus; WICA, Madison; WSHL, Ames, Iowa. They were a rapidly-thinning group when the Institute was started and pretty discouraged and bitter about that fact. Once there had been 125 odd "educational" listeners. But the number struck is under 25. Pedagogy was prone to blame the politics of commercial broadcasting for the loss, but actually many colleges and schools

neglected their opportunities, carelessly lapsed their licenses and, in general, seemed unable to cut through their own academic politics to set up conditions congenial to station operation. It's a side-issue, but not necessarily an unimportant one, in the history of American broadcasting.

Who else attends these Institutes? Not just professors and instructors or officials of state and municipal school boards. That hasn't been the case in recent years and isn't the case this year. An increasingly large delegation of representatives from commercial radio, especially NBC and CBS, shows up. So, too, with officials from the country agencies and bureaus in Washington that are keen on radio for their own purposes.

57,673 Indianians Throng WLW BOONE COUNTY JAMBOREE *America's No. 1 Rural Radio Show*



Every day they crowded to see the WLW Jamboree.

April 18 through 25 the "SRO" was up at the Lyric Theatre in Indianapolis. Queues blocks long—standing crowds at every performance—in these eight days 57,673 paid admissions packed in to see WLW's whopping big Boone County Jamboree stage show.

This unbounded enthusiasm is gratifying evidence of Indiana's loyal friendship for the Nation's Station. And this remarkable demonstration reaffirms our belief that the WLW Boone County Jamboree is America's Number 1 Rural Radio Show.

NAT'L REP. • TRANSAMERICAN BROADCASTING & TELEVISION CORP. • NEW YORK - CHICAGO

WLW

THE NATION'S

most "Merchandise-Able"

STATION

IN BALTIMORE
ITS
WFBR
ON THE NBL RED NETWORK

Gov't Anti-Monopoly Trend Threatens Clear Channels in Havana Reshuffle

Washington, April 30.

Complete breakdown of clear channels is threatened as a consequence of the rising New Deal alarm about monopolies. Abandonment of the allocation principle on which U. S. radio has developed may occur when stations are reshuffled in order to carry out provisions of the North American Regional Broadcast agreement.

Idea has been agitated again that the reforms reserved for exclusive right use of only a single transmitter should be opened up generally in order to fill the need for additional outlets and to place cramps on the networks. Anti-monopoly crusaders have emphasized for years that the radio has the clear channel plants sewed up, so that undue profit is made by a small percentage of the industry.

Major battle threatens in case a serious attempt is made to scrap the fundamental doctrine that secondary coverage is necessary to provide service to the largest possible number of people. Counter-argument already being advanced, to the effect that if the U. S. junkies close 1-A stations, there is no reason why Mexico, Cuba, and Canada should not move in on the stripes allotted for our exclusive use under the Havana pact.

Economic Aspects

Economic angles are both important and controversial. One school of thought holds that the public welfare would be benefited if there were more outlets, rendering additional "local service." Defenders of the present set-up maintain that in many areas where listeners would be deprived of programs from remote 10 kw plants there is not enough business to warrant the number of low-power stations needed to fill the gaps. This question was thrashed out rather unheavily at the super-power hearings two years ago when the regulators tacitly conceded that the wide-open spaces can be covered only by secondary signals.

The clear channel station has been on the alert for several years, with the Commission gradually reducing the number of stripes on which only one plant may operate. Encouragement has been steady, usually the result of political pressure, but has been speeded up with the increased use of directional antennas. In several recent instances, the Commission has thrown out arguments about interference by noting that the antenna array will minimize the injury and that in the end a greater number will benefit if another outlet is placed on what is supposed to be a sole frequency.

The regional station crowd has been hammering away at the idea that facilities are being "wasted" under the present allocation plan. Although they never have advocated complete scrapping of clear channels, engineers for this faction have urged more and more duplication, particularly on East and West coasts, with only a few ribbons for use in the interior of the country kept for a single outlet. Arguments in this effort made a strong impression during the 1938 engineering debate, although the theory was not embraced in the final report.

PHILCO LISTS STOCK TO PUSH TELE, F-M

Philco Corp. stockholders voted at a special meeting last Friday (28) to set machinery in motion which would place its common stock on the New York Stock Exchange trading list. Heretofore, the company has been privately-owned with no stock available to the general public. Television, high frequency radio broadcasting and air-conditioning business were listed as reasons for the desire to place the company in position to raise additional capital.

Amending the articles of incorporation will clear the way for public participation. As a result of this, the par value of outstanding common will be changed from \$100 to \$5 and each share of present common will be exchanged for 20% shares of new in the new capitalization plan. When placed in effect, the plan of exchange would give Philco 1,521,100 shares of common outstanding and 26,363 shares of new \$5 preference stock but no bonds, mortgages or bonded debt.

WCAM STILL ON BLOCK

104,444 Price Tag Put On City-Owned Afloat—N. Y. Syndicate Offers 1940

Camden, N. J., April 30.

Camden's municipally owned station, WCAM, offered for sale by the City Commission last October, is going a-begging. Principal reason for no takers is the price tag of \$104,444 asked by the City Fathers for the 300-watt. Best offer said to have been received thus far is 100% from a New York syndicate.

Station was placed on sale after the commission griped to Mayor Edward Brunner that its deficit was eating a hole in the city budget. The outlet, operating as a part-time basis, has been put on the block periodically for the past few years but no sale.

In the past year its entire time has been sold to the Mark Sales Company, an ad outfit, which resells it to advertisers.

N.A.B.'s 'Youth Movement'

\$100 Pooled for Best Essay on 'American System' of Broadcasting—Stations Hypoing Idea

Washington, April 30.

National Radio Festival—new promotion plan of the National Association of Broadcasters to sponsor a radio "youth movement" during the summer months—seems to be catching on, if early reaction can be trusted. Enthusiasm is reported by NAB member stations in all parts of the country over the proposal for a national essay contest (subject: "The American System of Broadcasting—Why It Is Best for Americans") which school kids will participate in for a \$100 prize.

Last week's returns showed that numerous transmitters had responded to the idea of a National Radio Festival.

Local week (with no particular restrictions set on the date). Many wrote in with plans involving local schools, civic organizations and the like, while several cities will collaborate with a joint program worked out among the local stations.

In Nashville, Tenn., WLAC, WHIX and WSM will pool ideas and efforts to put over the school program. Other cities where all stations will cooperate are Pittsburgh (KDKA, KQV, WWSW, WJAZ, WCAE) and Richmond, Va. (WRMO, WRNL, WRTN, WRYA).

In San Jose, Calif., KJW has invited the city's entire student body to participate in the schedule of Radio Festival programs.



JULY IS

WAGA and WSPA Change Owners

Storer Group Bids for Atlanta Station While WSPA's Rival Makes Deal for \$30,300

Tulsa, April 30. Group associated with George Storer in the ownership and operation of various stations (the Fort Industry Co.) has entered into an agreement with the Atlanta Journal Co. and the Liberty Broadcasting Corp. for the purchase of WAGA, 1360-1370 Atlanta WNC Blue outlet. The deal is subject to approval by the Federal Communications Commission. The Journal was bought some months ago by former Gov. James E. Cox. WAGA deal is said to involve \$150,000.

Spartanburg, S. C., April 30. Sale of WSPA, operated many

years by Virgil V. Brown, newspaper publisher and member of the South Carolina legislature, to the Spartanburg Advertising Corporation, has been set, subject to FCC approval. Purchase is at \$30,300.

Walter Brown, former Washington newspaperman, who recently joined the Spartanburg Advertising Corporation as vice-president and general manager, announced WSPA will be continued, that night time will be sought for it, following-up Brown's application, already filed with Federal Communications Commission, and that in addition his concerns will proceed with plans to erect a second station to which the FCC has assigned WCRD as call letters.

Fly's Parting Shot

Dallas, April 30. James L. Fly, FCC chairman, attending radio clubmen's session here last week, wisecracked on leaving the platform: "Well, it will take me five minutes to get my hat and be out of earshot."

KRSC and WBNX GET BOOSTS IN WATTAGE

Washington, April 30. Juice-jump from 150 watts to 1 kw approved last week for KRSC, Radio Sales Corp., Seattle. Commission also okayed a night boost from 1 to 5 kw for WBNX, WBNX Broadcasting Co., Inc., New York.

'Monopoly' Report Held Back as FCC Wrestles With New Basic Problems

Washington, April 30. Chances for a report on the lengthy FCC investigation into allegedly monopolistic practices of the radio industry have grown increasingly remote with new developments at the Commission and new facts on the television and frequency modulation fronts. Altered from a purely fact-finding paper to a document filled with tentative recommendations, the report—by now festooned with long, white whiskers—still is being shuffled back and forth between the committee which conducted the investigation and members of the Com-

mittee staff. Majority of the committee is believed ready to insist on broad control over the chain and numerous other proposals impossible to the industry are predicted.

With the Commission up to its ears in the current fuss over the problem of whether to permit limited exemptions into commercial television and the frequency modulation hearings just held, observers believe that sufficient distractions already exist to keep the monopoly report on ice for many months to come. Original staff work on the report was completed early last fall but, since then, the committee has been shaken up, the squawks for control of the "big business" segment of the industry have increased and the FCC appears to be headed for more of the internal discord which has disrupted its normal procedure almost since its inauguration.

Committee Resigned
Two members of the original monopoly committee have resigned since the six-month hearings were held. Frank R. McInish, former Commission chairman, and former Commissioner Eugene D. Sykes. The place of Judge Sykes was filled by Commissioner Frederick I. Thompson, but McInish's place on the committee remains vacant. Thad H. Brown, chairman of the monopoly committee, and Thompson are inclined to put the possible time of completion of the report in the very indefinite future.

Other factors have contributed to the general shuffling of the report. Consideration of the matter is deemed so important as to require the presence of the full committee, but two of the Commissioners—George H. Payne and Paul A. Walker—have been out of town on official business, while Commissioner Norman S. Case is recovering from a long illness.

If it is true that the finished report will be filed with recommendations for a general crash-down on the industry, revision of the Communications Act by Congress undoubtedly will be required before any action can be taken. The Commission is without authority to launch a major reform program involving control over the chain.

The recent finding of the U. S. Supreme Court in the *Broadcasters' Inc.* case may have an important bearing on any recommendations for restriction of the chain. Particularly the paragraph in which Justice Roberts declared:

"But the act (Communications Act) does not seem to regulate the business of the licensee. The Commission is given no supervisory control of the program, of business management or policy. In short, the broadcasting field is open to any one, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment and financial ability to make good use of the assigned channel."

LOHR TO MONTREAL FOR CFCF SALUTE

Montreal, April 30. Canadian Marconi station CFCF celebrates its 12th anniversary and the official opening of new studios tonight (May 1) with a half-hour program entitled "Radio of Tomorrow," which is to be carried over the NBC Blue net in the U. S. A. and the coast-to-coast network of the Canadian Broadcasting Corp. on this side of the border.

Lenox R. Lohr, president of NBC, who arrives here today to contribute personal congratulations, will headline the show with Rene Marle, chairman of the Board of Governors of the Canadian Broadcasting Corp., and A. H. Gimson, president of Canadian Marconi, also scheduled as guest speakers on the half-hour show.

Allan Melner orchestra will provide.

WOLF Inaugural

Syracuse, April 30. Originally scheduled to make his debut last Saturday (27), WOLF has postponed its dedication ceremonies to Saturday (3), to allow completion of test broadcasts. City notables and several clergymen listed to take part. Louis Kaiser, program director, will be in charge.

BIGGER THAN TEXAS

—BIGGER THAN CALIFORNIA, OHIO, ILLINOIS!

How many sales does it take to make a market?

More sales are made in July alone, than in all Illinois or California or Texas in a year!

Look at it any way you wish. Compare retail sales, payrolls or production. July is the biggest market. To ignore July... to do nothing about penetrating your interests in this market... is like defuncting in Chicago, Philadelphia and Boston combined. July is bigger than the three of them.

So an old tradition dies... easily. The tradition that it makes sense for an advertiser to fight desperately for his share, say, of Illinois... and then do nothing to protect himself in a market three times as big: June, July and August!

That strange tradition has been blasted higher than the summer sky. Blasted by radio, which has changed the face of summer. Radio has broken the chains that bound advertising to time or place. Radio has made it economically possible to cover every market every week and every month; to do it with a regularity, a frequency, a mass coverage no practical budget can buy anywhere else. In summer as in winter.

There are now 6,500,000 automobile-radios on the road. There are 1,000,000 more of the new portable sets, travelling wherever America travels. And 21,900,000 radio families are known to be listening at home, each summer day!

Clearly, radio listening is no exception to the habits that make this nation a market. People eat and dress, work and have hobbies, shop and spend throughout the year. For the vast bulk of families, summer makes little change in the daily routine. It perhaps puts an extra stress on relaxation. And that only makes radio more than ever important! It's so easy to listen...

Small wonder, then, that CBS summer advertising in 1939 leaped to a new high, 35% above 1938! Because the Columbia Network covers the vital summer market more completely and economically than was possible even a few short years ago.*

So there's now no reason to give up the extra sales you might be making in June, July and August. Radio makes them as easy to get... and to protect... in summer as any other season of the year.

COLUMBIA BROADCASTING SYSTEM

*The data in this CBS advertisement are taken from the most authoritative available sources. If you would like to make a specific analysis of summer advertising in relation to your own business, let us know. We will be happy to assist you, with confidentially supplied facts and figures.



Westinghouse Stations' Status

KDKA Committed to NBC Red — Shepard Says Won't Have WNAC Pushed Aside

While Washington last week got a commitment from NBC for KDKA, Pittsburgh 10,000-watts, to go red network, no date has been set on the placement of the station's new alignment. NBC wants to make some signal adjustments within the signal area covered by KDKA as a member of the blue link before getting together with Washington on a date.

Even though it has given the nod to Wyndham, NRC still harbours hopes of working something out that might allow the manufacturing world to retain its present size network structure.

In Boston there's the report that WRZ, another Washington hip radio, is likewise slated to shift away to the red link, while John Shepard, III, declares that under no circumstances will he permit his WHAC to be made a blue poster. Shepard spent Monday (24) shuttling between the NBC and CBS executive offices in New York.

Pennsylvania Slightly Upset

Pittsburgh, April 22. Report in New York last week that CBS was trying to land KDKA for its Pittsburgh outlet when that Westinghouse station withdraws from NBC management July 1 brought only a brief comment here from H. J. Brenner, owner of WJAZ, the Columbia station here. "I imagine we may have something to say about that," Brenner stated, "inasmuch as our five-year contract with CBS has run only three years as far."

In meantime, Gery was some feverish activity at WCAR, Hearst station and NBC's red channel. With KJZZ said to be demanding the red loss of its parent blue, with possible threat of taking CBS instead. Leonard Kaper, WCAR manager,

was reported 'out of town for several days' at station. Undervalued he left for New York immediately to confer with Henry radio officials about possible course of action should NBC make the switch.

Sherman D. Gregory, KDKA manager, was also in New York for conferences with Westinghouse officials. Rumors had him slated to head the four Westinghouse stations, KDKA, KVM, WHZ and WFLA, all of which will withdraw from NBC operations in two months. SMC will act as sales representative for national spot time on the Westinghouse stations.

KGCU, NLRB COME TO TERMS IN UNION ROW

Washington, April 26. Approval of a revised decree settling the issues involved in proceedings involving Mandan Radio Association, Inc. (KOCU) Mandan, N. Dak., was granted last week by the National Labor Relations Board. The decree, which will be presented to the Eighth U. S. Circuit Court of Appeals, provides that the company will "cease discharging membership" in the International Brotherhood of Electrical Workers Local 8-478 (A. F. of L.) by discharging or refusing to reemploy any employee because of union activities.

Payment by the company of \$250 to Paul M. Edwards "in full satisfaction of amounts he would have earned from Marvin El, 1939, to the present day" also was provided for.

Squire's about "unfair labor practices" was issued against the union last May.

Effect Roosevelt's E.T.s

Elliot Roosevelt went back on the air over WJCA, New York, Monday (28), sponsored by Dr. Lyons' Tooth Powder. He aired Monday, Wednesday, Friday, 9:15-9:30 p. m., with news comments.

Programs are transmitted by Kuamantel in Fort Worth, Texas, and played to WMCA aerial.

Phone Stunt In Canada Is Disputed

Montreal, April 20.

Game shows, quiz programs and giveaways of all kinds are sending agency men, visitors and spinners here quietly berserk in a search of recurring rumpelstiltskin. Latest headline involved the J. Walter Thompson Agency last week with its new Dominion Stores Poetry Shelf show which emanates alternately from CTR, Toronto, and CFCF, Montreal.

Tandy Advertising Agency claimed that Poetry Month, with its phone call giveaway, was an infringement on the Whigby's Treasure Trail program and was reported contemplating action unless Poetry Month conclusion was changed.

Understood that Thompson agency agreed to change the phone call routine. Instead of calling witnesses on Pastry Shelf program from station immediately names are announced and phone call is made the following week.

Postpaid phone call is also used as Brian Head Flyer Mills control.

Franz Lehar reached his 50th birthday April 23 and the BBC then, its orchestra gave a concert of his music.



either way Mutual costs less

How many can you handle? If your eye roams over the whole continent Mutual can deliver 225 of the leading 300 U.S. markets at only \$9,456 per broadcast for 3½ hour night-time—an all time network low. Or if you are still interested in just a few extra-luscious markets, Mutual plants them right in your lap at minimum cost. Either way, you'll find Mutual the most economical way to wangle lots of attractive new curves into your sales chart.

MUTUAL BROADCASTING SYSTEM

Ohio Awards

Downloaded from prs.sagepub.com at 06:06 11 September 2015

Planned and produced by De Fries Farmer, Station WLS, Chicago.

- g. For use in school by elementary children (approximately Grades IV-VI).
FIRST AWARD. 'Animals in Our Pattern of Life.' From the series 'New Horizons, American School of the Air.' Planned and produced by the Columbia Broadcasting System.
NOTICEABLE MENTION. 'Curved Events.' A special broadcast of March 12, 1948. Planned and produced by Station KEX, Radio Service of the Oregonian, Portland.
- h. For use in school by junior and/or senior high-school pupils (approximately Grades VII-XII).
FIRST AWARD. 'Where We Live.' From the series 'This Living World, American School of the Air.' Planned and produced by the Columbia Broadcasting System.
FIRST AWARD. 'Square Dances.' From the series 'Folk Music of America, American School of the Air.' Planned and produced by the Columbia Broadcasting System.

SPECIAL CLASS: Distinguished productions exhibiting educational value.
FIRST AWARD: "Pursuit of Happiness," Broadhurst of December 31, 1938. Planned and produced by the Columbia Broadcasting System.

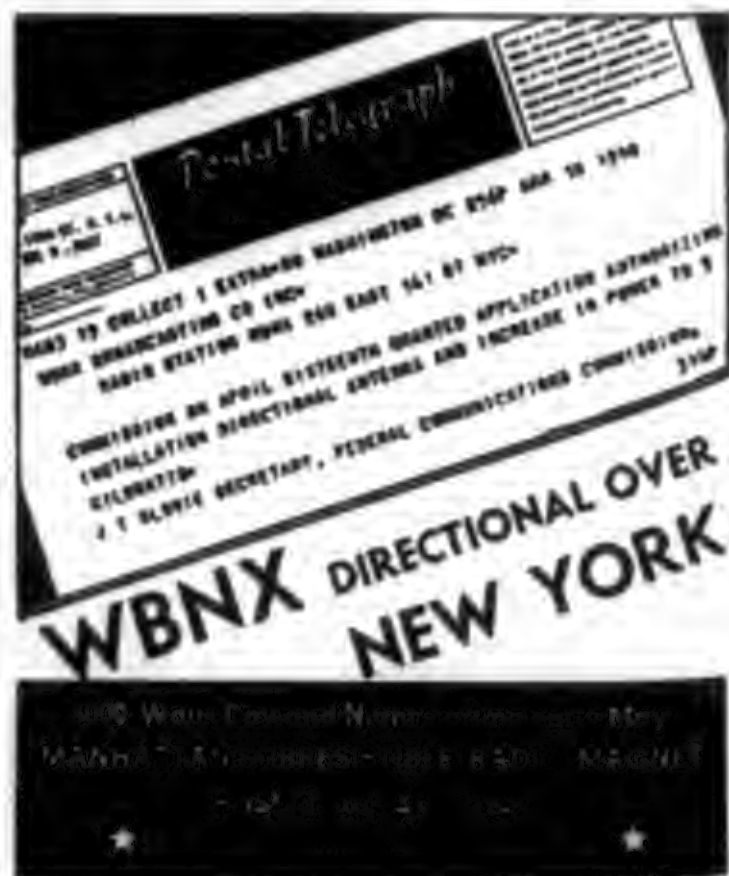
H. LOCAL AND REGIONAL STATUS OR ORGANIZATION

3. For general use by adults. Lecture, talk, speech.
FIRST AWARD. 'Talk by Thomas Mann: The Problem of Freedom.' From the series 'University of Minnesota Conversations.' Planned and produced by University of Minnesota Radio Station WLB, Minneapolis.
4. For general use by adults. Demonstration or participation program.
FIRST AWARD. 'The School of Modern Miracles.' From the series 'Follow Your School.' Planned and produced by the Spokane Public School.
FIRST AWARD. 'Adventures in Music.' A special broadcast. Planned and produced by the Municipal Broadcasting System, Station WNYC, New York.
5. For general use by adults. Study, round-table conversation, interview, debate, question and answer.
FIRST AWARD. 'Student Council and Student Government.' From the series 'Student Opinion.' Planned and produced by the Radio Council of the Chicago Public Schools.
HONORABLE MENTION. 'Diplomas and Jobs.' From the series 'Career in Public Service.' Planned and produced by New York University.

4. For general use by adults. All forms of dramatization.
FIRST AWARD. "Against an Enemy." From the series "Civil Liberties in Wartime." Planned and produced by Station WOOD, Ohio State University, Columbus.
HONORABLE MENTION. "Guns and the Naval Appropriations Bill." From the series "Following Congress." Planned and produced by Wisconsin State Station WISN, Madison.
5. For general use by children. Any type of out-of-school children's program.
NO FIRST AWARD.
HONORABLE MENTION. "World of Music." From the series "World of Choral Music." Planned and produced by the Wayne University Broadcasting Guild, Detroit.
HONORABLE MENTION. "The Three Dwarfs." From the series "Children's Theater of Junior League of Roanoke." Planned and produced by Station WIRZ, Roanoke, Va.

5. For use in school by primary children (approximately Grades 1-4):
NO FIRST AWARD.
HONORABLE MENTION. 'Feeling Pains?' From the series 'Rhythmic Activities.' Planned and produced by the Cleveland Public Schools.
6. For use in school by elementary children (approximately Grades 5-6):
NO FIRST AWARD.
HONORABLE MENTION. 'Upper Lakes Region.' From the series 'This Land of Ours.' Planned and produced by Wisconsin State Station WISN, Madison.
7. For use in school by Junior and/or senior high-school pupils (approximately Grades 7-12):
FIRST AWARD. 'Senator Murch Died Last Friday.' From the series 'Living History.' Planned and produced by Wisconsin State Station WISN, Madison.

Special Class: Distinguished productions exhibiting exceptional values.
FIRST AWARD: "America Calling." A special broadcast. Planned and produced by Station KSTP, Minneapolis.



"Wise advertisers are spreading the word...

You don't need a million...

to do a national advertising job
on the Blue?...says NBC Vice-President
ROY WITMER

Executives of Canada Dry, Adam Hat, Andrew Jergens Co. and many other top-notch Blue Broadcasters agree... the Blue provides "Money Market" coverage at a low national cost no other medium can match!

Coming down on the train the other morning, Roy Witmer was chinning with fellow-commuter Ed Hitz, who assists him at NBC. "You know, Ed," he said, "I hear more and more nice things about the Blue Network every day. Advertisers using it are really Blue Broadcasters."

Right, Mr. Witmer! Smart advertising men who buy radio to make sales know the Blue is an outstanding buy. And while that's important to us, it's even more important to you. Because their opinion stems from increased product profits and sales.

These savvy buyers of advertising know from practical experience that it doesn't take a million dollars to do a national selling job on the Blue. They discovered the Blue's "Money Market" coverage came at the lowest cost of any advertising medium—something no buyer should overlook!

There are 45 advertisers who are taking advantage of the low-cost selling advantages of the Blue. They'll tell you it's 1940's best advertising buy. Its low national cost, the result of the famous Blue Network Discount Plan, enables the size

of your network to expand with your business. Its coverage is concentrated in the markets where 75% of the country's effective buying power is located.

Ask any Blue Network user if you want enthusiastic proof that sales begin where the Blue begins! 75% of them came back in '39 after a successful '38. 17 new ones joined the ranks last year. May we tell you how the Blue can boost up your sales for less than \$5,000* per nighttime half hour? National Broadcasting Company, A Radio Corporation of America Service.

*Time only, of course.



These cheery smiles belong to J. M. Mathes, head of Canada Dry's Ad Agency; Milton Cross, NBC Announcer; Major Lorne Lake, NBC President, and Roy W. Moore, Canada Dry President. Mr. Moore, whose Canada Dry "Information Please" needs no introduction and whose increased sales need no publicity, considers the Blue Network "the sweetest buy we ever made."



After an "Adam Hat Sports Parade" broadcast at Madison Square Garden several weeks ago, NBC salesman Ben Kraft (left) and Adam Hat ad manager, Leon B. Golding, went for a nearby cigar. Golding, who is a member of the Blue Network, said: "The best and most inexpensive large-scale salesman I have ever known." And that's why 75% of the Blue's advertisers come back for more in '39... why 17 new ones signed up.



Here's NBC's Ben Kraft being buoyed up by the comments of Andrew Jergens Company's v.p. Bob Benson (left) who said, "The Blue's the buy for me. It's done a swell job for Jergens and gives us 'Money Market' coverage at a low cost nothing else can match." And that's agency v.p. handsome Bob Orr in center, of Lennen & Mitchell, who handle Jergens' Walter Winchell program.

NBC BLUE NETWORK
Sales thru the air with the greatest of ease



"MERRY MISS JULIA"

With Josephine Hall

12 Min.

E.T.

FLY

Mon.-Fri., 10:30 p.m., EDT

WGN-Milwaukee, New York

(McCaum-Birkbeck)

Shouting from the Greenery Park section of New York is the title of this daytime comedy bringing Josephine Hall, light character comedienne, to the title part. Described as "70 years young," she's the standard all-wise, all-emphatic boarding-housekeeper type, keeping a protective eye on her little board. But there's apparently to be a rumple in countenance the sweet young thing from Texas has been sitting in the gangster's poker game at the hotel across the street and as a result of the chapter caught (20), was shoved into a pitch-dark fire stair and into the clutches of a mysterious President. Story seems to have wandered pretty far out of line for a broadcast book.

Ward series is currently running over 11 Mutual stations. Helga Lund plays it. Commercial book is playing up the seasonal multi-billing campaign. Hobe.

"THE CAREER OF ALICE BLAIR"

With Betty Marston

15 Min.

E.T.

FLY

Mon.-Fri., 2 p.m., EDT

WGN-Milwaukee, New York

(McCaum-Birkbeck)

Daytime daytime serial with the customary proportion of baka melodrama. Monica is a daisy-eyed gal who's staying in New York to work as her dream man has gone away to recuperate after the operation that restored his sight. But there are dark rumors that the crook who performed the operation is actually slightly latched in the head. His mother (who will be revealed as not his real mother) is apparently spreading the sinister story. There's a lot to give Alice advice. Pretty hard to plot all the angles by a single actress, but apparently it's standard—if not too inspired. Some of the doing is tries, the heroine at one point unearthing that old chestnut, "Why are you telling me all this?"

Show is carried by New Sterling and is carried on 12 Mutual stations via recordings. Betty Marston plays the title part, having taken over from Martha Scott, who's now in Hollywood. Club-in commercials sent Major Sally H. C. sure to give relief from ordinary singleness and their cure irritable, nerve-on-edge minds. Hobe.

"MEET ME AT TIMES SQUARE"

Variety

With Ben Bernie, Boston Walker,

Bobby Hickey (1), Leo Casey

N. Y. WORLD'S FAIR

Friday, 2 p.m.

WJBC, New York

The N. Y. World's Fair is aiming for patronage through a frank Broadway building. It's the opinion of Leo Casey, the Fair's p.a., that Broadway show has it undeniably in the Fair for what the Franching Broadway show did to Main St. he's right. And Casey will have a tough fight offing that, but he's approaching it directly and forthrightly with the idea that if they come to Times Square, they'll come to the Fair. The radio show is an important one to the show.

Ben Bernie, incumbent master of the Hotel Taff, and as a glib a speaker as a talker, was usually the lead emcee, although he tried in going overboard on his things—some of the Taff and Winkell.

The N. Y. New Broadway columnist, Boston Walker, proved himself a thoroughly at ease commentator on Broadway, sounding almost at ease as Bernie, excepting that some of the statistics were too glibly recited off. Regardless, it was a good coupling. In between Bernie mentioned Leo Grant's home head at WJBC, the Radio Sisters (2), from the Service organization, vocalized, and Casey was in the final groove with the emcee on "Meet Me in Times Square," as a prelude to building Fair patronage. A specially written song of that name set the entire mood.

Casey, incidentally, has been doing a steady press job in the hinterland, getting the Fair rolling. Official newspapermen's readers and gossips concluded that Casey's job is very much on the credit side in behalf of the 1940 expo. He's an ex-N. Y. woman.

Idea of the radio program is a shifting personnel, changing m.o. and format, with emphasis on one or another feature, its bands, roles, the like life. Broadway attractions, and so on. From first experience in 28 it will be a pleasant shock in all told if this new propaganda approach reflects itself in any way leaving general N. Y. amusement. Theory prevails that the Fair's so big an attraction in itself, it can't afford visitors for anything else. Either that, or the average backlot won't stretch to include anything extra once they spend it at the Fairgrounds. Abel.

WJBC, Sharon, Pa., has named the Howard H. Wilson Co. as its national rep.

TELEPHONE HOUR

With James Melton, Francis White,

Don Vanover, Ed Symonakis

Orch. Ben Christie (Chorus 12)

Music, Songs

10 Min.

WJBC, New York

WJBC, New York

(M. W. Ager)

First network try of the Bell System (American Telephone & Telegraph) shows up like a fairly new-come likely to be around for quite a bit. It differs little from the latest Ford Motor Co. radio as Ager himself had last summer for a full Sunday hour. Broadcasting possibly was that what was good enough for Ford, was good enough for the A.T. & T. Results are gratifying. Entire show has been wrapped up and should please even those not usually inclined.

Telephone company is using this as an institutional point. Sales reps for premises was fairly good, brief and held to absolute minimum. Walter A. Gifford, president of A.T. & T., was allotted about three minutes in which he stressed the Bell System tradition of courtesy and service with reference to 21,000,000 phones used in U.S. and 10,000,000 phones company clockholders. His address was brief and to the point, and he was well received.

Various organization apparently has been built into symphonic proportions with the radio version still in clock mode. Week and Broadway tunes were highlighted by the orchestra. Melton made a happy choice for his single solo, "It's a Wonderful Life" from "The Sound of Music." He returned later for a duet with Francis White, "Dependable Maiden" from "La Bohème." Miss White's ballad was "Maid of Cadiz," which gave her lyric soprano full swing. Melton of Stephen Foster went was the vehicle for the Ben Christie mixed chorus, supplying the needed variety. Ward.

WALTER CARRER

With Lee Grant Orchestra

Songs, Music

10 Min.—Local

Sundays

Tuesday, 10:30 p.m.

WJBC, New York

Carrer has a very pleasant, full-toned baritone. Tackling the familiar music type of standard, plus an occasional flight into the higher music reaches, he is standard for a station with the program average of WJBC, and improves that average.

Obviously, too, that Lee Grant gives more than ordinary attention in this unit. Lead.

ADVENTURES OF ELLEN QUEEN

Hugh Marlowe, Martha Beckley,

Samuel Griggs, Ted DeCortis, Leo Murray

Drama

15 Min.

GULF OIL

Sunday, 1:30 p.m.

WABC-RSS, New York

(Timmy & Roberts)

After a run of almost a year as a customer, "Ellen Queen" has worked itself up to a summer pastiche. The plotting angle is no reflection on the quality or pulling power of the program. It's good performance entertainment, and the thing that stands most heavily in its favor, as far as audience rating is concerned, is the ready-made comprehension of millions of mystery story addicts who, like the party-planner, can't resist the challenge to pick em in this case it's a challenge to tag the guilty person, and what makes it all the more pleasurable is that there are no money giveaways.

There was something more appealing about this program when it ran a full hour. The mystery part is now one and the episodes move at such fast tempo that it's difficult for the average person to discern properly the various bits of evidence that might point to the guilty one. Even the participation of the guest (host) straight detective has been telescoped to the point that they must speak quickly and briefly or be lost in the whirled. But regardless, the punch and appeal to the wife have been retained in all their force. It's also all well acted and produced, with the latter job credited to George Zuckers.

For the opening section (28) there was but one piece of plot copy. That came at the end, and it proved a full summary of the Good Girl sales story. Oden.

"LINES AND BELLIES"

With Turner Jordan

Sundays, 1:30 p.m.

WJBC, Birmingham

Turner Jordan, radio editor of The Birmingham News, reads out today's radio lines and dithers in half hour of chatter and music. Highlight of program is introduction of two announcements from staffs of local stations (WAFB, WJBC, WJBC) who are interviewed and quoted by Jordan.

Plenty of comedy results from reading of old audience preferences. Jordan pulls no punches, reading most interesting letters received, regardless of brackets or language. Writers of winning letters receive money to local shows.

Fan mail indicates program is exceptional. Lead.

MRS. ELEANOR ROOSEVELT

Talk

15 Min.

Washington Day

Tues., Thurs., 1:30 p.m., EDT

WEAF-NBC, New York

(Franklin Bruck)

Introduced as "Mrs. Eleanor Roosevelt's own program," this new twice-weekly 15-minute series will bring informal chats on topics of special interest to American women. On the debut chapter yesterday (Tuesday), the First Lady explained that when the series has gotten underway she will bring occasional guests she thinks have something to say on specialized subjects. But in the meantime, knowing that she may be leaving a detour, she asks the listeners to write her with subjects they want to be discussed. That should evoke some enthusiastic suggestions and, considering Mrs. Roosevelt's intellectual independence and courage, may lead to some lively controversy.

But for her introductory epistle, the President's wife presented herself with an oral, and therefore more personal, version of her daily frustrated column, "My Day." She spoke about her trips around the country and the various reasons she makes them, told of a recent visit to her daughter's family and described her youngest grandson's reaction to his first birthday cake, mentioned seeing her eldest son in Hollywood, and wound up with reference to spring in the national parks, the domestic road. One of the White House and National Employment week beginning Friday (3).

It was all brilliantly conceived treatment of everyday matters in terms of simple, man-talking interest. And as Mrs. Roosevelt has grown steadily in public estimation, as it is likely to expand as a familiar personality via the air, her voice is pitched a trifle above normal, she speaks calmly, clearly and unobtrusively, her thought is expressed in the same steady-paced terms as her newspaper writing. On this chapter she stumbled on a word once and coughed to clear her throat once. In each instance she appeared to take it as a matter of course, and continued again without perturbation.

Broadcast originated in Washington, with subsequent ones slated to be picked up from wherever she may be around the country. Ben Granger's later and commercials are being plugged in from New York. There were two commercials, both suitably restrained as to length and claims. In sum, the show sticks up as almost certain to have an appreciable audience. Hobe.

KWKH**SHREVEPORT, LA.****50,000 WATTS****CBS**

The "home-town station"
for almost three million
people in three states.

For more information about KWKH, one of the sixteen CBS 50,000 watt stations, inquire of The Brenham Company.

SERVING THE RICH TRI-STATE MARKET

Payroll Traffic

Dayton.—Jim Vincent Carney is the new promotion and merchandising manager. He comes from WHL-WCLB, Cleveland.

St. Louis.—Walter H. Bailey, formerly of KWEH, Shreveport, is WKY's sporting staff.

Chicago.—Harley E. Richardson is now with the radio department of Northern, Lewis & Brerly, Inc. Formerly with H. W. Kasper & Sons and Finkle, Finkle & Finkle.

Boston.—Jeanne Sullivan joins WEEI this week as regional news reporter for CBS in New England to begin a Farmer's Almanac show.

New Orleans.—Kleve Kitch, announcer and newsreader for WWL, goes to WNC in Chicago next week.

Dayton, O.—Jim Vincent Carney, formerly with WHL-WCLB, Cleveland, has joined WHD, Dayton, in charge of promotion and merchandising departments.

Tulsa, Ok.—Edward C. Ames, news announcer over WFTD, Tulsa, for the Gas Co., has gone to New York to supervise the 1946 World's Fair exhibit for the Owens-Corning Glass Co., Tulsa, and has been succeeded on the Gas Co. night broadcasts by Jack Selma, new announcer at the station.

Kansas City.—Les Jarvis joins KFTL, new Wichita, Kansas, 1,000 watts, as member of the announcing staff.

Gwen Shugart is new at WHB, Kansas City.

San Antonio.—Stanley Valerich, formerly with KKYT, Houston, is now handling the Mike at KABC.

Fort Worth, Texas.—Charles E. Bush is new program and production manager for KPAC, Fort Worth. Was with KTVL, Tulsa, and KCMO, Kansas City.

Albany.—Dave Fulton is leaving the announcing staff of WJF. Charles Hunter of Albany, N.Y., is joining staff.

Lincoln, O.—Hugh Deane has been advanced to post of chief announcer at WLOK, Lincoln, Ill. Walter Turner has been added to the announcing staff.

Sharon, Pa.—Jack and His Drifters have joined WPOC after almost two years with WJW, Akron. Quin-

let remains at Jack Rivers, Oscar Harris, Harry Welch, Gabriel Warfield and Pat Flanagan.

Baltimore, Md.—Ken Lyons, formerly on WJAM staff, joins WBAY as program director in staff reorganization under General Manager Gordon P. Brown. Harold Kitch becomes chief announcer. Mort Shulman, commercial manager, will continue to handle special events as an add-on. Staff announcements are Merle Triff, Fred Grant and Ross Wedger.

Kansas City.—Resignation of Fred Felt at KCMO created vacancy in continuity department. Bobbie Robinson is new continuity editor; she was formerly copywriter. Frankie Messer is now at the reception desk. Harold Addington comes in as manager of Transradio press bureau at KMB. He was formerly located here, and returns from Baltimore. Walt Hagan leaves K. C. bureau for a Seattle location.

Bob Davis, announcer, has joined the staff of KJTB. Previously edited at WIAF.

Dayton, Ok.—Bill Elmer is a newcomer to KLO's announcing staff. Was formerly program director of KFDL, Amarillo.

Cleveland.—Harry Burge of WADC, Canton, joins announcing staff of WTAM, Cleveland.

Ault Lake City.—Arvid Johnson has joined KUYA as continuity writer and announcer. Previously program director of KVOE, Murfreesboro, Tenn.

J. B. Frydley, in association with D. B. Britton, described a revolution of his "English Journey" of seven years ago, to tell what changes the war has brought, especially in the distressed areas.

BBC broadcasting an account of what happens to a Frenchman from the time he is called up, how it is done, how he joins a regiment, is trained and mobilized. The program is being prepared by Derek Johnston, who has been working with the BBC's American liaison unit since war began.

Cleveland.—John Garfield leaves WBAK, Wilkes-Barre, to join the staff of WGB.

New radio detective has been created and made his appearance on the air April 22. He has been

TICKLED WAR FANCY

Chamberlain Vs. Miller Teams in Tasty Hockey Games Make 25

Windsong, April 28.
Woodhouse and Hawkins (Art McGee and Frank Drayton), Canadian Broadcasting Corp., comedians scored a hit last Friday with a bit of a supposed hockey game. The team had players such as Chamberlain, Egan, Churchill, etc., while opposing team had Miller, Goring, Ellstrom, etc., as members.

Immediately following broadcast withstood at CKY was flooded with phone calls for over an hour. Following morning mail started arriving. Requests for copies of script outweighed everything. Several American editors also wrote for copies for reproduction, while others suggested show be transcribed and sent to troops in France. Many asked for repeat broadcast.

named Stephen Arrow, a young man under 25 portrayed by Ernest Ingleby.

Despite the shoddiness of television on the outbreak of war, the quality of that same is still being continued. It held its annual general meeting last month.

Cleveland.—Announcer Harry Burge has joined the staff of WTAM. Burge has been in radio for nine years, having previously with WLW, Cincinnati; WJR, Detroit, and WIBC, Canton.

St. Louis, Mo.—Gordon Thomas, Mike, man, leaves KGLD to join WTMI, Milwaukee, new frequency modulation setup, as announcer. His spot on KGLD's staff is taken by Merrill Milligan, microphone from KATL, Albert Lea, Miss.

Des Moines.—Frances Denison is new secretary to Ed Linahan, program director for KSO-KMYT. She replaces Harriet Elmer, who has been assigned to the continuity staff.

Bartholomew.—Bill Berkowitz, WHBC news editor, has been reappointed assistant secretary to Mayor George J. Cuyler of New Britain. Berkowitz was in charge of the New Britain Democratic Town Committee publicity and advertising campaign in the spring elections.

Portland, Ore.—Chet Simmons has returned to KJW after serving a period with the NBC staff in San Francisco. Simmons was formerly sales manager of KJW, position now held by Paul Cornett. He returns to take up a place on the KJW-KZZ sales staff.

Advertising Men Hoaxed

Some advertising organizations in New York City have added a lie under the caption "hoax" following the flurry of excitement occasioned recently by printed matter cleverly and plausibly written by a copyman. He announced the formation of "The Institute for the Elimination of Unbelievable People and Practices From Advertising." His remarks were especially pointed towards radio.

Quite serious reaction was explained on the grounds that admen are accustomed to all sorts of attacks these days. Later it appeared the hoaxer sought a job.

Inside Staff—Radio

Stations that have been wondering how they were to take care of any new spot business this summer because of jammed schedules got a measure of assurance out of a letter they received last week from the Bureau Advertising Co., of Kansas City. The pitch in the letter was in behalf of the National Protective Insurance Co.

"With the approach of summer," the letter began, "most radio stations find time a little harder to sell than in the cooler months." Then, only the letter, "Would you like to turn your advertising time into paying time?"

The agency's client, the letter stated, would like to place a series of 200-word announcements, since it does not feel that the message could be got over in 100 words. The insurance company would be willing to pay 40c. less 15% commission on each inquiry received by the station about the company's health or insurance policy.

The addenda volume which annually brings the Encyclopedia Britannica up to date contains a radio resume in the '46 volume of the year 1939 written by Edgar A. Grosswald, editor of Variety Radio Column. Charts of the letter are reproduced in the Britannica.

Variety Column's main article has sub-divisions devoted to dollar volume, government relations, ASCAP, stations and other factors. (Engineering phases of radio are separately reported by John V. L. Hagan of WGBX, New York.)

Since the recent investigation by the Federal Communications Commission of hidden ownership of radio stations in Texas, the FCC is receiving affidavits from other stations in Texas, as well as other states, with the names of the current owners. It seems that many of the stations have a guilty conscience and are getting their applications to case their stations are investigated.

Cresley Corp. earnings in the first quarter this year dipped approximately \$100,000, according to the report issued this week. The company showed profits of \$42,897, or 4c. per common share for the quarter ended March 31. This compares with \$206,918, or 26c. per share, in the March quarter of 1939.

KFBI Moves to Wichita

Wichita, Kan., April 28.
Radio station KFBI, controlled by Farmers & Bankers Life Ins. Co., is now established here. The 1,000-watt station, moved in from Abilene, is 17 years old.

In addition to new modernistic studios which occupy entire floor of company's building, station has new glass brick transmitter building five miles north of city with latest equipment.

Studio staff includes: Coleman Ains, program director; Frank Childs, musical director; Verne Hyndman, musical arranger; Les Samsy Jarvis, chief announcer; Marie Rupp, hostess; Clarence Rupp, publicity director; Monte Tjaden, director of women's programs; Evan Fry, continuity editor; Harold Ballard, announcer; Harry Peck, announcer and salesman, and LeRoy Stetler, salesman.

WOR P.A. Shifts

Shifts in position at WOR, New York, announced by Joseph Johnston's change to the staff of the Democratic National Committee and Terry Denney's elevation to head of the press department are: Michael Brown up from assistant program director to commercial program manager, post vacated by Denney. Brown's place is taken by John E. Rayon, from production manager. Charles Gordin, who was Rayon's assistant, takes Brown's place.

Frank Knight drops announcing activity to become Gordin's assistant.

SCALF'S TONIC TOLD TO MODIFY CLAIMS

Washington, April 28.
Extraneous assertions on behalf of Scalf's Indian River Tonic drew a frown from the Federal Trade Commission Wednesday (28). Cause and effect order directed the Indian River Medicine Co. to tone down its radio and printed advertisements.

Federal copy-readers disliked the representation that the tonic "will prevent and cure colds and build up resistance to other minor ailments; that it is a complete and effective treatment for rheumatism, arthritis, sleeplessness, ailments of the liver, kidneys and stomach, and that it affords positive or certain relief from chronic ailments."

WBAL

means business
in Baltimore

WANTED:

Top Match Agent by Chicago woman writer for daytime serial radio script with original slant and appeal. Box 106, Variety, 124 W. 46 St., New York.



the West's busiest network!

First Quarter 1946—more hours of network business (coast-to-coast and regional) than any other network in the West!

This year, more than ever, the owing is to

Columbia Pacific Network

A DIVISION OF THE COLUMBIA BROADCASTING SYSTEM • PALACE THEATRE, SAN FRANCISCO • COLUMBIA SQUARE, LOS ANGELES • REPRESENTED BY HARRY SALES, NEW YORK, CHICAGO, DETROIT, CHARLOTTE, N. C.

'THE O'NEILLS'

LISTEN TWICE DAILY

NBC Red Network, 12:10 to 12:30 P.M. EST

IN . .

8:40-9 P.M., EST

COAST TO COAST

DR. CHIFFIN ADVERTISING AGENCY

MET. ED WOLF—RKO BLDG., NEW YORK CITY

From the Production Centres

IN NEW YORK CITY . . .

Lawrence Tibbels and Grace Moore make joint guest appearance with the San Francisco Philharmonic orchestra May 21 from the Golden Gate opera for International Business Machine. Tibbels already set for date with Lily Pons for May 12 from the New York Fair for the same sponsor. John DeWitt now writing 'David Harrow' and 'Mafalda' and Thursday Puss back scripting 'Lawrence Jones'. Gladys George set for Saturday 14 on 'Lionel Highway' by the Morris office.

Harry Sawyer continued as replacement on 'Feynman' show. Babe Ruth and Ernest Chappell included. Lou Fruskel folded his radio talent registry booklet. Arlo Childers' radio version hymned book sale 'Lippin' with of Dalton Trumbo's 'Johnny Get Him Out'. Max Wyllie already selected Norman Corwin's 'My Client Carey' for next year's volume of 'Best Broadcasters'. Tom Mahoney of General Electric television publicity drove for visit from Schenectady.

Ted Collins out of the hospital and returns this week to the Kate Smith show. Campbell Scott's 'Short, Short Stories' being rebroadcast in the East beginning this week. Ann Seymour, Chicago actress, visiting in New York. Tom Flinnale handling publicity for new daily, P.M., setting Jack McMane for guest interviews on various New York local shows. Clouston agency has the account. Ralph Edwards, producer-n.e. of 'Truth and Consequences', has opened an office in the CBS building.

Herb Rosenthal, of Columbia artists' bureau, leaves Friday for the Coast, to be gone two weeks, with stops at Chicago, St. Louis and Detroit on the way back. Sidney Bulowey doing series of piano recitals over WQXR Wednesday nights during this month. Frederick Brinkley, pianist, and George Byron, baritone, leaving for Sunday evening series over WQXR.

Nel Shillert is moving along slowly following an operation performed upon him in a New York hospital last week. As explanation for his lack, 'How War Came' Raymond Gram Swing will do his war analyzing broadcast for Mutual from 40th annual American Bookellers' Association convention at the Pennsylvania Hotel, New York, May 15. It's Swing's first broadcast from outside the studios, except for his airings from Europe.

IN HOLLYWOOD . . .

Legend of Baker's replacing long-run 'Fictorial' with Mel Williamson's 'True Life Dramas' across the board along NBC Coast Red. Joe Foster giving up summer deals to concentrate on picture work. Shirley Temple may do a bit from 20th-Fox studio for benefit of Royal Air Force Comforts Fund to be broadcast only in England. Bob Hope has taken steps to copyright name of 'Celine and Brenda' for radio. Pat Ellis will be guest vocalist on Horner's 'It Happened in Hollywood' for two weeks. Lou Gluskin dropping the music on eight KXKX stations. The Nile Brothers, Ken and Wyn, doing the commercials on Luckies and Old Gold, respectively or vice versa. Kay Campbell joined Grace Chesser agency as assistant and to head testimonials dept. Henry Brown, Adolph's brother, named sales manager of Vic Dalton's 'Radio News Beat'. Grace Allen will do a broadcast from Friess fair grounds May 28 and incidentally plug her much race for the presidency. Day has been out since in her honor. Paul Rickman is in Pittsburgh to produce Gene Autry program. Charlie Vanita out of the trap and back on the job. Hal Berger re-creating major league ball games at KMPC under Pauline dealer sponsorship. That 27th car-rout bill run up by a N.Y. radio editor is still kicking around with threats of a suit unless it's paid off. Visiting columnist had car and chauffeur placed at disposal while in town and took it upon himself to take a side trip to Friess, 450 miles away. Station owner and publicity outfit are both disclaiming responsibility and making the payoff.

IN CHICAGO . . .

Cliff Youde leaves the Howard Mayer press office to join NBC Chicago Special Events and News Department as assistant to Ken Fry. Rayburn Jett Fern who has been transferred by NBC to EGA, Denver, to head new news department there. Ted Weiss head to Marshalltown (Ia.) on May 21 for the Tall Corn show. John Norton, of NBC station relations, in Chicago for a. . . . Owen Weaver, WBBM-Columbia news chief, has worked out tie-up with Sylvia Goldfinger of long telephone house which gives him rapid service news bulletins for meter taking display. Joe Buckhold joins WLS, coming from WMMJ, Fairmont (W. Va.) as writer and producer, especially for his own 'Elin Creek Follier'. Charlotte Kruger and Eli Elstrom added to 'Story of Bud Burton'. Cliff Soukley and Fern Penrose added to 'Arnold Grimmer's Daughter'. Breakfast Club had lunch social for NBC execs and press following previous morning party for NBC execs for Breakfast Club.

Innocent-Like

Childhood advertising, turned to repeat printer's ink, stored a chuckle at radio's expense in the office of J. Walter Thompson last week when John J. Kavel, marketing counsel of CBS, was making the regular CBS usual (that) presentation on why the ear is more effective than the eye in advertising.

Bill Day, veteran advertising man, still inquired: 'If the ear is better than the eye why do you use a printed chart for your lecture?'

'LAST OF DALTONS' CALLED IMPOSTOR

New Orleans, April 26.

The claim of Robert E. Dalton, who appeared on 'We, the People' and other broadcasts, through claiming to be the last of the Dalton gang which terrorized the Midwest during the 1880s, went to pieces here Wednesday (25) and he was pinned a phony and not even a relative of the original Daltons, according to word received by Chief of Detectives John J. Gruch from R. B. Slagel, Denver, Colo., who was a close friend of Emmet Dalton, the last of the Dalton gang.

Robert Dalton was arrested here last week on a charge of coming with intent to commit murder after he is said to have stalked Lee Mayer, Tulsa, Okla., in the lobby of a downtown hotel.

Slagel's letter to Gruch also contained photographic copies of arrest records and letters from police in other parts of the country showing that Robert Dalton has been arrested numerous times and has begged of his territories only to have it proven later that he was a phony. Slagel's report, La., police also sent word that Dalton was an impostor.

Lutheran Raps Gangster Theme In Films, Radio, Comic Strips, Books

St. Louis, April 26.

Radio programs, films, comic strips and big-little books in which gangsters and gangsterism are featured were soundly rapped recently in a radio broadcast, over a 172-station hookup, by Dr. Walter A. Maier, of the Concordia Seminary near St. Louis, the Lutheran station here. While 'Gangbusters' was not directly named as being one of the offenders against the American youth, Dr. Maier included it in his condemnation as he quoted Frank X. Keller, chief prosecution officer of the St. Louis Juvenile Court, who recently blasted 'Gangbusters' for being directly responsible for 44 cases of juvenile delinquency in St. Louis during 1938. Keller is attending the annual convocation of the Central States Probation Assn. in Chicago currently and will again introduce a resolution condemning 'Gangbusters' and kindred programs. He did so at the St. Louis convention in 1938.

Maier is touching on criminal ideas being dished out to the young 'uns said, 'Was any generation any closer to crime than the typical American boy or girl of today, with the gangster films, gangster broadcasts, gangster comic strips and gangster big-little books? Last night your children could have heard—and I fear many of them did hear—a broadcast which is teaching young Americans the details of crime, initiating them into the language of the underworld, revealing the technique of arson, kidnapping, murder and all the while helping to produce criminals.

If you parents, who like to listen to that program, think I am biased

and narrow, listen to the chief prosecution officer of the St. Louis Juvenile Court, who said, 'From my actual contact and experience, let me state one contributing factor, where I lay the blame for 44 cases of crime among boys here in 1938, and this is the deplorable program over the radio.

If only the broadcasting systems and even more commercial concerns were prudent enough to give the youth of America what it does not receive today, a Bible broadcast with the unparalleled heroism and interest these Biblical stories contain' (Maier showed an engraving of General Mills' 'Light of the World').

Waves of Maier's talk were made and sent to stations, operated in conjunction with the Lutheran movement, in Manila, Honolulu, Puerto Rico, Panama, Managua and other points. The Kelly, Stubbins & Zahm Agency, Inc., St. Louis, handles the Concordia Seminary account.

HOYT PITCHES FOR AVALON ON WOR

Walter Hoyt, previously doing sports update three evenings a week locally over WABC, New York, shifted Monday (25) to a six-evenings-a-weekly slot over WOR for Avalon cigarette. Samuel Bonds is the agency. Hoyt was placed by CBS artists bureau.

Angle on the deal is that the scheduled time for the session is indefinite. It's slated to roll whenever the WOR broadcast of the Brooklyn Dodgers' game is finished.

WMT
(With Coverage Where it Counts)

Now Basic Columbia



HOW THE GAP IS FILLED: Now you can have effective coverage, without duplication or waste, of the "juicy" portion of America's Money Belt.

How, high, effective buying income are evenly distributed over a wide territory and WMT is the only medium that reaches all of this rich Cash Market at One Low Cost.

WMT has a daytime coverage 25% greater than any station in KTW and its rates are surprisingly low considering its amazing primary area and constant record of results for advertisers.

For complete details about this Low Cost Money Belt Station, write today.

S. D. QUARTON, Manager

WMT
CLEAN RAPID - WATERLOO, IOWA

FIZDALE *wins*

1st and 2nd places in "Billboard" Radio Surveys!

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Independent Press Agent Division

First Place Tom Fizdale

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Independent Press Agent Division

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600 KC
5000 WATTS DAY
1000 WATTS NIGHT

A SHAWLES MONEY BELT STATION
Represented by THE KATZ AGENCY

RADIO BOXOFFICE REPORTS

Baltimore

(WBAL, WCAQ, WCBM, WFBR)

Week Ending	Units	Local	National	Total
April 27.....	8,400	5,000	1,400	14,800
April 20.....	8,300	5,000	1,300	14,600
% change.....	+1.2%	+2.0%	-7.7%	+0.9%

Some drop in national spot this week simply covered by consistently rising local spot. Increasing primary station for Senatorial post holding later.

WCBM this week joined the Mutual network, replacing WBAL, which will continue playing out current programs and will stay with NBC Blue at hereafter. Station also started six quarter-hour spotcasts a week for Royal Crown Cola through EBD&O.

Chicago

(WBBM, WGN, WGNR, WJLA, WJZ, WLS, WMAQ)

Week Ending	Units	Local	National	Total
April 27.....	8,610	3,240	18,110	29,960
April 20.....	8,610	3,240	18,110	29,960
% change.....	0	-0.3%	-0.3%	-0.1%

* No change.
Slight decrease in local and national spot units this week. Otherwise there was relatively little action.

Cincinnati

(WCPL, WRCR, WLW, WSAI)

Week Ending	Units	Local	National	Total
April 27.....	4,370	8,020	2,770	15,160
April 20.....	4,300	7,970	2,800	15,070
% change.....	-0.2%	+0.6%	-1.1%	+0.3%

Last week was the first since Radio Business Reports were inaugurated that total units failed to show a gain.

WRCR's new programs included spot announcements for Champion Corp. better and Fisher's Soda Bever, Inc., through the local Key and Strachan & McKis agencies, respectively. This station also inaugurated a series of 28 Friday night 20-minute baseball quiz programs for Andy Schalk, Inc., and associate Shubert dealer of Greater Cincinnati. Announced through Harry M. Miller, Inc. Programs originate in the KEO Paramount, production division, and offer theatre and Crosby Field tickets to contestants. Five listeners each week receive advance tickets to Red's games for statements on "Why I would like to see a Shubert." Later also are in final contest at end of ball season with six spots going to winner. Bob Fleming, of the WRCR staff, conducts the programs.

Denver

(KFEL, KLE, KOA, KVOD)

Week Ending	Units	Local	National	Total
April 27.....	1,130	4,330	1,300	12,760
April 20.....	1,130	4,310	1,400	12,840
% change.....	-0.2%	-0.5%	+7.1%	+0.3%

KOA, new business: J. C. Pomeroy Co., five 15-minute "Adopted Daughter" weekly, 12 weeks, through Paffar & Ryan; Gigante Closures & Dyers, through MacOrder & Co., 104 announcements; Model Closures & Dyers, through Raymond Krane agency, 38 announcements.

KLE new business: 28-quarter hour "Wants from the Showers" for Blatz Brewing Co., through Hest-Hest & MacDonald; Fortum Pie Co., direct; 24 announcements; Lashura, 28 one-minute spots.

KFEL new biz: Joe Love Corp. (Popcorn), through Blue Co., 12 "Shack Buggy" half-hour spots. Associated Tailors, through Earl Fivem, added five chairmen's weekly; Gardner Brewery, through Northwest Radio Adv., five minutes daily for a month; Van Bohann Realty Co. resumed 15-minute program from a new house just sold.

Des Moines

(KHBY, KBO, WHGI)

Week Ending	Units	Local	National	Total
April 27.....	1,200	2,160	1,000	14,360
April 20.....	1,200	2,150	1,000	14,350
% change.....	0	+0.5%	+0.0%	+0.0%

* No change.
Each Des Moines station shared in the continued upward trend of national spot hit.

Detroit

(WJLB, WJMR, WJR, WMBR, WWJ, WXYZ)

Week Ending	Units	Local	National	Total
April 27.....	8,220	12,080	2,770	23,070
April 20.....	8,240	12,180	2,840	23,260
% change.....	-0.2%	-0.8%	-2.5%	-0.1%

Adverse weather conditions which permitted only one Tiger

HOW UNITS ARE FIGURED

Dollar volume is printed from these reports. So, too, are the breakdowns of individual stations. Grouped market figures only are given. One minute of commercial time is figured as one unit. Thus a sponsored hour is 60 units, a half hour 30 units, and so on. Chairmen's time signals, spot announcements in participation programs are counted as one unit each.

baseball broadcast in a week, plus contract terminations and switches attendant to time change in spot, resulted in losses in all but national spot last week. WWJ, local outlet for baseball play-by-play, alone lost more than 800 units of commercial time when rain and cold wiped out four Tiger contests first week of season. With NBC Red afternoon serials shifted to WKYC for duration of baseball season, WWJ was forced to substitute material when games were called off.

New biz at WWJ includes Peoples Outfitting Co., which is sponsoring Ty Truett's "Baseball Preview" six times weekly, five minutes each. Runs throughout baseball season and set by Simms-Mitchell, Detroit.

Active Fisher Co. Grand staples' lunching five 15-minute "Sports Parade" programs over WWJ weekly. Paul Williams handling. Set by Wills-Geller, Chicago.

Mish-Rich, through Young & Robinson, has taken over from Oldenhouse sponsorship of C. C. Bradner's nightly news review, five times weekly for 15 minutes each. Runs for 26 weeks.

Hartford

(WDRB, WTHY, WTNH)

Week Ending	Units	Local	National	Total
April 27.....	8,700	2,200	1,200	12,100
April 20.....	8,700	2,210	1,200	12,110
% change.....	-0.4%	+0.5%	-0.0%	+0.0%

Kansas City

(KCKM, KCMO, KTFE, KMBC, WDAF, WIBW)

Week Ending	Units	Local	National	Total
April 27.....	8,600	2,700	1,400	12,700
April 20.....	8,600	2,600	1,300	12,500
% change.....	+0.0%	+3.8%	+7.7%	+1.3%

Business generally stationary for the week and any changes negligible. Only exception is KCKM, Kansas City station, which has upped its national spot units through an increase in the number of baseball games which the weather permitted the K. C. Blues to play. This station habitually garners over 80% of its business locally, but the General Mills broadcasts will give it a national spot tally through the summer.

Best and leverage accounts looked to for some aid during the summer, and several already set to begin first of May.

Los Angeles

(KICA, KFI, KPWR, KRL, KMPC, KNE)

Week Ending	Units	Local	National	Total
April 27.....	10,000	10,210	1,700	21,910
April 20.....	9,800	11,320	1,800	22,920
% change.....	+0.3%	-9.8%	-5.6%	-1.3%

Slump in local units dragged down the week's total, but not in any alarming degree, considering season of the year. KMPC recorded one of the station's biggest weeks when 70 Foster dealers in southern California contracted for Hal Berger's re-creation of major league ball games for a period of 12 weeks. Program runs about two hours five days a week. Planned by Markman, John & Adams. Other new biz included four announcements by Security-First National Bank; 100 spots for Hollywood Building & Loan; Standard Storage, one hour of recordings on Sundays for 12 weeks; Dr. Brochman, 100 quarter-hour music programs; 12 announcements for Warner Bros.; three half-hour participations in "Andy and Virginia" for Kavo Products; 12-minute news items six times a week for nine weeks for Benson jewelry shops; and 12 one-minute transmissions for sunny outfit.

KNE added six weather reports weekly from Minnie Candy through Broecker, Davis & Staff; 28 quarter-hour programs, "What, He Architect," for State Ass'n of Architects through Smith & Bull; time signals for Seven-Up Bottling through Grace Glazer; 18 one-minute spots for Chrysler through Rutherford & Ryan; 19 quarter-hour broadcasts of "Chief Milani" for Dimough west through Dorwin H. Clark.

Added starters at KFI comprised 26-weekly participation in "Art Baker's Notebook" for Forest Lawn Memorial Park through Dan Miner; renewal of quarter-hour "Musical Club" 22 times for Foreman & Clark through Martin Allen. KPWR picked up three quarter-hour programs weekly for 12 weeks for Casa Mañana dance through Creston Jones; 12 spots weekly for Caliente ranch through Milton Weinberg; six spots weekly, one year, for Carter Medicine Co., and four spots for Security-First National Bank through Dana Jones.

New York City

(WHR, WMCA, WNEW, WJLB)

Week Ending	Units	Local	National	Total
April 27.....	720	8,100	14,020	22,820
April 20.....	810	8,100	13,600	22,510
% change.....	-1.1%	-0.0%	+3.0%	+0.1%

National spot units climbed when the weather closed and permitted playing of baseball games. WJLB carries the Brooklyn Dodgers' play-by-play, and WNEW carries the Newark Bears (International League). Sixty-unit loss in network column due to Irvin's Year's "Goodwill Hour" switching from Mutual to NBC Blue.

Recent new business includes the following:
WNEW: Cal's Pen Rubber Co., through S. A. Levine Co., one-minute 27c; Gardner Nurseries, through Northwest Radio Adv., five-minute 10c; Jettie, Inc., through Joseph Katz, 27 announcements; Pianograms, through Roy & Davidson, 48 quarter-hours; George Abbott Productions, through Elaine Thompson, announcements; Schuster Theatres, through H. C. Greenfield, 100 announcements; Sunway-Variety Inc., through J. Stirling Getchell, participation in "Make Believe Ballroom."

WJLB: Boston Wine Corp., direct, sponsoring "The Symphony Spot" three times weekly.

WHR: Oakline Products, through Calkins & Holden, participation in "Polly the Shopper," Magic Melody Music, announcements; Schuster Theatres, through Elaine Thompson, announcements; Cashman Laundry Co., direct, 12 announcements weekly; House Dept. Store, half-hour "Children's Answer Hour," 12 weeks; Gardner Nurseries, through Northwest Radio Adv., three five-minute programs weekly; Wine Store Co., through Lester Harrison, chair break for 12 weeks.

WMCA: Illinois Engineering Institute, through Al Kinney agency, 12 quarter-hours weekly; and announcements for Kelly's Furs through Philip Wolf agency, Schuster Theatres through Elaine Thompson, Jettie, Inc., through Joseph Katz, Roy Theatre, Warren & Arthur, Goodbank, Current History Magazine, Kishner Brewery through McCann-Erickson, Hamburg Hotdogs Popovers through Erwin-Waury, Alexander Eisenberg Co. (Investments).

Salt Lake City

(KDYL, KRL, KUTA)

Week Ending	Units	Local	National	Total
April 27.....	4,300	2,600	800	10,000
April 20.....	4,300	2,600	800	10,000
% change.....	-0.0%	-0.0%	+0.0%	+0.0%

KDYL's local hit climbed 11% last week, reaching the highest mark since these reports have been in operation. Station looks for continued gains in local spot.

KRL added Schuster Johnson Drug Co., announcements; Brown Floral Co., five-min. programs; Duplex Fur Co., quarter-hour news items and announcements; American Fur Co., quarter-hour, Center Theatre, announcements.

San Antonio

(KABC, KMAC, KONG, KTHA, WOAI)

Week Ending	Units	Local	National	Total
April 27.....	2,600	1,300	2,300	13,300
April 20.....	2,600	1,300	2,300	13,300
% change.....	-0.0%	-0.0%	-0.0%	-0.0%

Big is off to all classifications this week, but station managers look for a sharp rise with the change to daylight saving time.

San Francisco

(KFRC, KGO, KJBS, KPO, KSFO)

Week Ending	Units	Local	National	Total
April 27.....	2,300	2,300	1,870	12,800
April 20.....	2,300	2,300	1,800	12,400
% change.....	+0.0%	-0.0%	+3.9%	+0.0%

KFRC reported the town's only new biz: Brown & Williamson's 15c hour "Saturday Night Party" via Don Lee; Joe Love Corp. (Popcorn), through Blue Co., "Shack Buggy" half-hour; American Cynamerics sponsoring "The Shadow."

Seattle

(KIRO, KOM, KRUC, KXA)

Week Ending	Units	Local	National	Total
April 27.....	4,320	8,000	720	13,040
April 20.....	4,300	8,410	800	13,510
% change.....	+0.5%	-4.8%	+12.5%	+1.8%

Daytime network hit has fallen off, but increased number of nighttime programs have jumped the total network unit and money intake.

New biz on KOM: Faber-Bredman, through MacWilkes & Co., quarter-hour sports review with Walt Francis; Fletcher Adair's Scholastic, six quarter-hours weekly; Joe Love Corp. (Popcorn), through Blue Co., half-hour "Shack Buggy" five; Neighbors of Woodruff Insurance Co., two half-hours a week.

'WOMAN IN WHITE' SHIFTS TO CANAY

Chicago, April 20.

Ira Phillips' "Woman in White" serial quits Pillsbury sponsorship on May 24 and immediately snaps under new sign of Canay Soap through the Postler & Ryan agency, N. Y.

With the switch, three Ira Phillips shows produced by Carl Westor will shift to a straight 45-minute slot, from 9-10 to 10-11 a.m., Eastern time. Three shows are "Golden Light," "Road of Life" and "Woman in White," all on the NBC Red.

Newspapers went on the air April 22 in a "White" with print signals.

P. & G. Shifts

Complete agency this week made several shifts and extensions on various of its Postler & Ryan shows. "Right to Happiness," serial out of Chicago on CBS, added 18 stations of the Canadian Broadcasting Corp.

"The Uffels," serial for Ivory soap over NBC Red twice a day, added to more stations through the south to its second broadcast. Number for the first airing remains the same. Series of spot announcements plugging P. & G. soap started Monday (28) in the show break immediately preceding the same sponsor's "Vic and Sals" series for Ivory over the Blue network.

Buffalo Brewery's Sports

Buffalo, April 20

Bob Kiment sports radio on WBBR will be underwritten by William Simon Brewery six times weekly starting Monday (22). Kiment also has joined publicity forces of Buffalo Braves (NHL) club lately, turning him to cut down on wine duties after their sports. Will lose no community "night," ball clinics, etc., for Braves.

Portion of NBC "Breakfast Club" has been ticked on WBBR by A-M department store. Arranged placed direct is for 15 minutes a week.

New Orleans—Orville Anderson of Orlando, Fla., has joined staff of WWL. Anderson in whom vacancy was created by resignation of Elmer Kirby is accept NBC Chicago post.

B-C-P Sets Three

Birmingham, Castleman & Pierce agency is currently placing spot announcement campaigns for three clients, Griffin shoe polish, Conit map and Roma wine. First is being expanded from 22 stations to about twice that number. All are 12-week deals.

Conit spots begin Monday (8) on WJLD, Chicago. Roma business hasn't been set, but will start in New York and other eastern cities.

Coke-Scheduled Max on KHA

Denver, April 20.

Tortel C. Turland who has traveled widely in Europe, has been added to the KHA staff, in its news broadcasts. Turland was born in Seattle but completed his education at the University of Oslo in Norway.

ANZAC ESPIONAGE DISCS IN AMERICA

Boston, April 20.

Kasper-Gordon, Boston transcription makers, will reverse the export routine and become importers. Hereafter the firm has shipped Australian-made radio disc to Australia, but now it will attempt to introduce an Australian-made series, "The Enemy Within," to American markets. Series, in 15 installments, was cut in Melbourne by Legitimate Sound Productions, Ltd. Phil Duryndine and Arthur Spawell wrote the material. The theme deals with Nazi espionage activities among the Anzacs, and Kasper-Gordon has 11 fingers crossed on that.

ASCAP SHOWS UNITED FRONT

**First ASCAP Melon \$81,883 in 1921;
\$5,099,302 in '39; \$33,187,440 All Told**

The annual distribution of royalties made to ASCAP members in 1939, when the Society first began to realize its actual income (although organized in 1914) amounted to \$51,100. In 1938, ASCAP paid out to its membership the sum of \$1,000,000, of which \$1,000,000 came from radio. For the entire term between 1921 and 1939 the Society distributed to its members a total of \$23,187,440.

At the annual ASCAP banquet last week, its president, Gene Buck, also declared that the Society had distributed, during 1939, \$200,000 for relief, declaring this to be a "previous obligation, sacred and sacred," adding his assurance that "no composer or author will ever be in need while ASCAP has a dollar in its treasury."

The president's report also mentioned the information that contracts, in force as of Dec. 31, 1939, numbered 15,000, of which 10,000 were issued to radio stations. These stations are the ones commercially operated for profit and, in addition, ASCAP grants a free license to more than 20 radio stations classified as non-profit concerns. The Society does not charge license fees for universities, churches, colleges or non-commercially-owned broadcasting stations.

Licenses were issued in 1939 to a total of 14,600 theatres, while 9,000 restaurants paid ASCAP a fee for the use of its copyrights. Also listed in the group of licensed establishments are 1,500 hotels, 2,000 dance halls, 15 wired music corporations, and 1,317 miscellaneous establishments operated for commercial purposes.

In 1939 ASCAP realized from these 15,000 licenses, a gross income of \$10,000,000. The differential between this and the \$200,000 distributed in the annual melon is accounted for by an average of 10% for administrative overhead and a further deduction of 10% which is set aside for dividend among ASCAP's foreign affiliates. It was also stressed, however, that overhead has been steadily mounting because of legal costs attendant to the persistent "legal harassment" by ASCAP's foes.

TO EXAMINE LOPEZ IN STOCKHOLDER'S SUIT

Vincent Lopez was arrested Friday (30) by N. Y. supreme court justice Aron J. Levy to appear for an examination before trial on May 2 in connection with Agnes V. Russell's stockholder action against him, Vincent Lopez Enterprises, Inc., and Nancy Hicklin. Plaintiff seeks to recover damages for alleged waste and mismanagement.

Miss Russell claims to own one-third of the stock of the corporation and to have had a three-year exclusive contract with the orchestra leader, with an option for a two-year renewal, beginning in 1936. Among charges are that he misappropriated corporate money for himself, and that he signed Betty Hutton to a personal contract rather than for the company. He is also accused of having paid lavish salaries.

Band Leader Held

New Orleans, April 30.

Blue Davis, band leader, was held by Federal authorities at Monroe, La., after he struck a deputy tax collector, who sought to obtain taxes due at aillery where the band was playing.

Officials said Davis will be charged with assaulting a Federal officer in the performance of his duty. Davis was said to have taken offense at the official's announcement that band instruments would be seized if the tax was not paid, and attacked him.

New ASCAP Members

Broadcast Music, Inc., was given special attention at the annual dinner and was directly referred to only once during a talk by E. C. Mills. The new organization was visited for that portion of its propaganda which claimed ASCAP had closed its doors to eligible writers.

Announcement of writer-members elected since Jan. 1 include the estate of the late Thomas J. Gray, who, incidentally, introduced a eulogy in memory for several years; Joseph E. Cinkay, Frederick S. Converse, Walter Goldie, Paul Mason, John D. Martin, Miguel Sureda, Joe Venuti, Stephen Weiss, Lily B. Wood, Felix Szwedski, Frankie Carle, Stanleigh P. Friedman, Leigh Harline, Dedelee Lee Hill, Charles E. King, Arthur Quenser, Christopher J. Thomas, Vick Knight, Leon T. Reed, Ellis J. Reed, Jr., Robert Braine, Andy Luna Long, Helmut Reichert and Mary Brown.

One publisher was admitted to membership during 1939, Avetrol Publications, Inc., Providence, R. I.

STRESS MPPA, SPA IN ACCORD

In the course of the ASCAP annual review at its last week's dinner, president Gene Buck extended congratulations to the Songwriters Protective Assn. and the Music Publishers Protective Assn. for having reached an agreement which calls for a standard form of contract and which "eliminates any strife in the ranks of Capital and Labor in the industry." He pointed out that with an era of peace between writers and publishers, the two divisions, comprising ASCAP's main membership, give the Society a united solid front.

NPA agreements with the publishers are due for a renewal this week, the majority indicating an intention to sign up and eliminate all friction in the music field.

When the call came for suggestions from the floor only one member answered, requesting that at the death of any member of the Society notice be sent to the general membership at once. The presiding officer, without taking a vote on the resolution, declared that this suggestion would be followed and henceforth all members would be (Continued on page 31)

STATLER, CLEVE, SETS LOCAL-BAND POLICY

Cleveland, April 30. Statler goes into a local band policy May 15, when Frank Gagne's unit returns to Detroit, by installing Nancy Landers' home-town crew in the Terrace Room. Landers is moving in from Parkway Hall Hotel, where the aggregation had a 30-week run. Landers was first signed for only week-end dates, but competition given by Ted Fio-Rito's work at rival Cleveland Hotel's Bronze Room has been so tough that Statler has decided to type the new outfit with nightly sessions. It is of out-of-town band names at the Bronze Room, making it town's top spot this year, also changed plans of Statler's rate. Instead of closing its dance-dinner and dropping music for summer, it is opening a new Spanish-styled Bolero Room this week. Bob Quinn's Versatiles, a four-piece combo, to replace Jules Duke's seven-piece band and double in the new establishment with George Federewski and Ray Whitney, striders.

Chalet Club was folded last week by Duff and Loney but is scheduled to reopen next month with new owners.

NO BRICKBATS AT ANNUAL POWWOW

Back Since 1940 As Producing Either Peace or Lasting Conflict With Radio—Calls ASCAP Fee 'Ridiculously Low'—Claim Society Has 97% Renewals

800 ATTEND

By ARRL GREEN

Last Wednesday night's (30) annual dinner of the American Society of Composers, Authors and Publishers, at the Hotel Ritz-Carlton, N. Y., attended by more than 600 composers and music publishers, officially inaugurated the 26th year of ASCAP's existence on the keynote that what transpires in 1940 will decide the economic status of the Society for another year.

For the first time in years the members of ASCAP held an annual meeting and dinner without an outburst of verbal brickbats. With the broadcasting industry currently giving itself for a fight against ASCAP's new licensing plan, the occasion called for a display of solidarity.

What made the meeting most unusual was the domination of anybody, including the board members, to introduce a resolution. It has been customary for members to use these occasions to move by resolution for some change in the Society's by-laws. Though the ASCAP board is self-perpetuating, a two-thirds vote of the membership at its annual meeting can effect any change in the by-laws. It is through the introduction of these resolutions that the members get a chance to organize "democracy" to air their dissatisfaction with the Society's officers. (Continued on page 32)

BREGMAN FIRM SLOWS ASCAP SUIT

After it had retained Samuel Jones Russell to handle the proposed suit, Bregman, Vance & Co. last week decided not to go to law against the American Society of Composers, Authors and Publishers because of repeated slanders it had received in its availability rating. The publishing firm intends to exhaust first the various means of relief against the availability committee's action which are allowed under the ASCAP by-laws.

Russell was advised not to file the papers when it was discovered that unless all channels of intra-organizational relief were used this very vulnerability might result in a dismissal of the suit. B-V-C will now seek to recover its former rating by first asking the availability committee to reconsider. If the publishing firm fails here it will then take its protest to the appeals board. The next resort will be the full board (publishers and writers) of ASCAP's directors. Before the reduction began B-V-C was credited with 1,000 availability points. Its present rating is 1,100 points.

B-V-C has made a new alliance for its catalog in Great Britain. The switch is from Francis, Day & Hunter to Bussey & Co., Ltd. With the war proving a decided boost for pop music, the latter firm is extending its operations to that field, though it has always been associated strictly with classical and standard music. It will star the pop material through two subsidiaries, J. B. LaFleur & Son and Cromwell Music, Ltd., the former taking the higher priced music.

ASCAP Sending Austrian Expert To Study South American Setup

Sour Note

Jay Winmark, one of the two surviving founders of the American Society of Composers, Authors and Publishers, deliberately did not put in an appearance at last week's annual meeting of the Society. It was his way of returning the slight which he claims ASCAP officials visited upon him last fall when the Society staged its 25th Music Jubilee in Carnegie Hall, N. Y.

Although he has been retired from the business for years, Winmark had never before missed an ASCAP dinner. Winmark is also the last surviving honorary member of the Society.

Winmark's version of the Jubilee incident is that when he called at ASCAP's offices and asked for some tickets he was told that he would have to come back in a few days. When he did get them the seats were in the far rear and side of the hall. Winmark felt that, considering his past relations with ASCAP, he should have been accorded a place in one of the hall's many boxes.

BMI MULLING PROFESH DEPT.

Broadcast Music, Inc., agrees on establishing a professional department sometime in May. Several men now with ASCAP firms have been approached about coming in as managers of this department. When this phase of the organization gets going it will consist exclusively of members of the music publishers contact employees union, an affiliate of the American Federation of Labor.

Music Dealers Service, Inc., sheet music publisher, was asked last week by BMI whether it (the MDI) would be agreeable to handling BMI publications on an exclusive. MDI explained that it could not enter into such an arrangement, but that it would be willing to handle BMI numbers along with other jobs, providing orders start coming in from retail outlets.

Arthur Goldman has been retained as chief arranger by BMI and among those doing arrangements for the outfit are Jimmy Mundy and Jack Mann.

WWJ, Detroit, and WFID, St. Petersburg, Va., are the latest to join BMI as subscribers, making the list 212 stations.

ENDOWED ORCHESTRA FOR A SMALL TOWN

Warren, D., April 30.

Plans for a \$100,000 music hall in Packard Park, with its Packard Band, endowed for \$20,000, are being studied by park trustees and city officials, with prospects for an early start on construction. Will of the late W. D. Packard left a trust fund to erect the memorial music hall at a cost not to exceed \$100,000, the balance of the trust to go for maintenance of an orchestra that will give concerts at least once a week for the benefit of the public.

The estate has been partly adjudicated and the trust fund will amount to about \$100,000, said Probate Judge S. W. Jones.

Lexington Managing Leads

Chicago, April 30.

Arthur Levantson taking over the Chicago office of the Lee's Music Co. Levantson was formerly co-manager of the local Home office with Harry Garfield.

American Society of Composers, Authors and Publishers has undertaken to develop more closely knit relations with performing rights groups in South America. As the first step in that direction it has employed Dr. Rudolf Kassin, the last general manager of what had been the Austrian performing rights society (AKM) and noted as one of the world's leading authorities in the performing rights field, to make a tour of South American countries and study not only the local performing rights situation but the relations of one group to another.

ASCAP, after studying Dr. Kassin's reports, will see what it can do to co-operate more with the S. A. affiliates. Also to increase the work of one another's work and improve the compensation arrangements prevailing between ASCAP and the S. A. allies.

Foreign Affairs

In his annual report to the ASCAP membership last week John D. Payne, general manager, disclosed that his office had received a large number of applications for affiliation from foreign performing rights groups but because of the international situation ASCAP has been unable to do anything about them. Payne also disclosed that some of these applications came from organizations which were not controlled by the composers and authors, as well as publishers, but were operated for private gain. ASCAP's policy has been to affiliate itself only with foreign groups that, like itself, operate on a non-profit basis.

As a case in point Payne cited the performing rights society which has sprung up in Mexico. The latter is a private enterprise controlled by men who are also interested in broadcasting stations and theatres, along with some publishers. Payne stated that he had been informed that the Mexican society was changing its intra-organizational setup so that it could be eligible for affiliation with ASCAP.

Russ Holman, Murray, Kornheiser to Direct Par And Famous Music Cos.

Russell Holman, eastern production head for Paramount, will double in time as president of the company's two music corporations, Famous and Paramount Music Cos. He was elected president of the music subsidiaries at a meeting of the board of directors in New York Friday afternoon (28). To continue his post as home office production chief, Holman is at present on the Coast directing preliminaries on the 1940-41 product.

E. F. (Dick) Murray, assistant to the late Leo Diamond, who headed music and shorts activities for Paramount, has been made v.p. and treasurer of Famous and Par Music. It is a promotion of major importance for him. Murray will also supervise shorts activities which fell under Diamond.

At the Friday (28) board meeting another appointment made was that of Sidney Kornheiser as general manager for both music units. He will continue actively at Famous headquarters but also supervise the other company (Par Music) in his post as gen. manager. Other corporate titles, was re-elected secretary of Famous and Par.

Jack Perrin to N. Y.

Chicago, April 30.

Jack Perrin goes to New York to become professional manager for Milt Music. Perrin has been Chicago manager for Crawford music for some time.

Perrin's spot with Crawford here will be taken over by Danny Engel, who has been the midwest traveling rep for Crawford for many years.

ASCAP Shows United Front

(Continued from page 27)

and board of directors, their share in the writers' classification committee and their power, if any, with the deals given them by the publishers' availability committee.

1939 Crucial Year

Without being too tongue with radio, other than a factual review of the broadcasters' alleged persistence in attacking ASCAP, the president of the Society, Gene Buck, made no bones, in his annual report, that this year will either see what he hopes will be a lasting peace with the broadcasters, or else ASCAP may become embroiled in the greatest commercial conflict in the history of the American music business. Buck's address lasted well over two hours.

Buck Describes Radio's 'Bombing on 3 Fronts'

In reviewing the ASCAP crusade, Buck declared the broadcasters had systematically bombarded the Society on three main fronts in "well-defined order." The first offensive resulted in the Denial of Justice investigation, which prompted the Government suit against ASCAP. After an extended hearing this was indefinitely postponed, but is held out for propaganda purposes periodically, and the membership is continually reminded of its existence.

The next advance came through the legislative efforts in Washington, the main bombardment being led by former Senator Duffy of Wisconsin. The Duffy Bill passed in the Senate, but after a series of hearings before the House Patent Committee the bill died the usual death. Buck declared this was the most insidious piece of

legislation ever dropped in a legislative hopper.

When the attack of the Duffy Bill cleared away, the broadcasters began using ASCAP through State laws, utilizing the lawmakers in 28 different States to pass measures branding the Society a "monopoly." Buck continued: "As these attacks were met by ASCAP's legal battery, the Attorney General of each State was nominated to lead the onslaught, carried in several instances through several divisions of the Federal courts. Here the state bills were always charged as unconstitutional, but the legal expenses of ASCAP mounted steadily, while the bills for pushing the measure fell back on the state treasury, eventually being shifted up against the local taxpayers."

Buck militantly declared that "vast industries exist and prosper on the creative products of the ASCAP membership" and asked the broadcasters to produce a single instance where any American industry was able to purchase the raw material, as which it lives, anywhere for such a ridiculously low percentage of its gross earnings as that requested from radio by the Society. He declared that in 1939 commercial radio received from advertisements a total of \$115,000,000. Allowing them to charge off expenses amounting to more than \$4,000,000 (the agencies' 15 and 20% commissions, etc.), he estimated their net gain at \$111,000,000, for which radio had agreed to pay 15% for the use of ASCAP's copyrights. However, radio paid ASCAP approximately \$4,000,000 during the year, considerably short of the percentage total agreed upon in the 1935 contract.

Continuing his discussion on the relations between ASCAP and radio, Buck paid compliment to the Radio Committee for its study of conditions and declared the terms of the new contract this committee was presenting for the 1941 negotiations were "fair, equitable, decent and just" and told his audience that because of these qualifications the broadcasters could not conscientiously refuse to sign. He stated these contracts would be in the hands of the broadcasters in a comparatively short time, at present being in process of preparation.

Holmes' Decision Seen As Permanent Defense

Paying a tribute to the late Justice Oliver Wendell Holmes, who wrote the U. S. supreme court decision which gave ASCAP its constitutional grant, Buck told of the countless legal and legislative battles the Society had been forced into to protect its rights. He reviewed the circumstances surrounding the contract signed with the broadcasters in 1935, declaring that "the ink was hardly dry on this pact when the campaign to smother ASCAP was inaugurated. He described the ludicrous investigation and the manner in which it was "adroitly piggybacked" Buck then reviewed the efforts to smother the Society in 28 different states, declaring that while ASCAP was forced to "shoulder the expenses of a defense" the anti-ASCAP crowd "viciously allowed the taxpayers to shoulder the burden of these subversive legislative activities." He then told of his experience in Arizona, where he was arrested and branded as a fugitive of justice from a state that he had never visited in his entire life, giving it as his opinion that "this exhibition of commercial persecution had been cleverly engineered from New York and Washington by remote control." He climaxed his recital of these battles with the announcement that up to date ASCAP has yet to lose a case. "This destruction brought the music creators in the audience to their feet cheering."

Buck pointed out the ridiculous angle of these subversive legislative efforts, since the very interests endeavoring to smother the Society are strictly wrong, operating under the same patent law, and conducting their industries by virtue of the same rights under which ASCAP exists. These rights remained in Article I, Section 8 of the Constitution.

1940 Writers, 126 Firms

Buck's presentation, delivered in an informative style, traced the history of ASCAP from 1914, when its roster carried but 112 writers and 18 publishers, up to the present year, announcing the current membership of the Society at comprised of 1,000 writers and 126 publishers. Twenty-six new applicants have been ac-

cepted since Jan. 1. These figures were recorded to refute the recent statement of ASCAP's opponents that the Society was a "closed corporation."

With contracts in force with 30 foreign societies, the total membership of the organization, domestic and foreign, amounts to more than 42,000 authors, composers and publishers throughout the world. When ASCAP issues a license, it grants, in addition to all its American compositions, the rights to the compositions of these 30 foreign nations without any extra fee, Buck stressed.

After briefly reviewing European conditions, Buck emphasized the genuine democracy exemplified by ASCAP whose creative artists of every race, color and creed, and where capital and labor in the same industry, assembled in exchange ideas and cooperate as a unit for the protection of their individual and combined properties.

The ASCAP press gave an opinion that no copyright legislation would be remedied during the present session of Congress, this being an election year. He took occasion to denounce the so-called "Compulsory License Clause" in the Copyright Act and that portion of the measure which exempts radio-operated machines from the Public Performance Clause. He assured the gathering that every effort was being made to eliminate these handicaps from the Federal statutes and indicated he was confident of ultimate success in this direction.

Claim 97% of Pubs And Writers Renewed

Concluding his report, Buck announced that 97% of the entire publisher and writer membership has renewed agreements with the Society for a period of 18 years commencing Jan. 1, 1941. The present agreement with the Broadcasters expires Dec. 31, 1940.

John G. Paine, ASCAP's general manager, gave a brief report of the Society's commercial activities, announcing that the organization was gradually establishing its own regional headquarters throughout the country. In discussing foreign contracts, Paine moved a significant point in the declaration that the International Confederation of Performing Rights Societies, of which ASCAP is a member, maintains a hard and fast rule that no organization can join this body unless it is owned and controlled by its own general membership. This excludes any society operated for profit by stockholders from participating in benefits of the Confederation, or claiming any reciprocal part by which they might use the copyrights controlled by the various societies in the International body.

E. C. Mills and Louis Frohlich, ASCAP's general counsel, and Irving Caesar, president of the Songwriters Protective Assn., concluded the list of speakers.

The annual meeting was unique in many respects, outstanding among other things, a record for attendance. For the first time in the Society's history, not a single controversial resolution was presented for the consideration of the gathering. The most significant point established during the evening was the unquestioned solidarity of the membership, and the obvious confidence it placed in Buck, the board of directors and the executive staff in their administration of the Society's activities.

The question of salaried compositions had its usual stirrings, Buck advising the audience of the Board's action in suspending a writer and publisher (Paul Denniker and Louis Mingo) for the first time in the history of the organization, after a hearing by a committee led by the administrative committee. He vigorously deplored this activity and was roundly applauded when he announced that future violations would be similarly dealt with.

P. M. M. BENEFIT HAS 150

Musical Men's Show Brings \$11,000 in Aid—Big Advance Sale

The Professional Music Men, Inc., social organization, set to be merged with its union, known as the Music Publishers Contract Employees, Inc., has some \$11,000 in complimentary advertising and \$2,100 in the lot for its next Sunday (5) benefit at the Alvin, N. Y. This is the P.M.M.'s 6th annual show.

Bob Miller is executive director of the organization and Joe Bailey is staging the show. Boris Vore is president of P.M.M.

Alvin is located at 600 10th and of the \$1,000 possible gross, the advance sale is \$1,500.

COLLEGE RHYTHM

The fifth of a series of articles on collegiate life and dance as we see it from the inside.

The writers, staff members of publications at their respective schools, have been asked by VARIETY to give the opinion of the student body as a whole rather than just personal judgment. Buckner has VARIETY give further instructions as to what was to be said or how. These articles appear as the undergraduates have written them, with the expressed opinion being their own.

VARIETY publishes the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has to say about dance music is deemed important in the field. This is a continuation of a series originated by VARIETY in 1931.

CORNELL

By Philip M. Enken, '40

March, April 20

The above Cornell's writer, Cornellians have at many performances musically speaking, as the Republican party has presidential candidates. Perhaps the fact that 1,000 men and women come here from every state in the country leads to these cosmopolitan tastes in music. Whatever the reason, you can be sure that there are more heated discussions about bands when Prom time comes around than about politics, professors, or r-s-w-ds.

From extreme hopsters who like the hot links of Luncheonette, Rave and Cranky down to the scholastic addicts of Kaye, Lombardo and Brown we find a happy medium of Cornell's favorites. These preferences, however, are as changeable each year as a chameleon in the spring.

This year the trend at Cornell is for the rhythmic danceable writers who play a live number after every three sweet tunes. The reason is that when you are paying \$4 for a ticket to the Junior Prom or Navy Day ball you would rather dance with your house-party guests than watch a handful of jitterbug jill. Likewise for Cotillions or Football Dances, which are also relatively high-priced affairs.

So our proverbial bats are off to the Prom Band poll leaders of the year—Miller, Savitt, Krupa, Dorey, Kemp and Gray. This applies to dances only, for when it comes to films—that's another story.

A year makes a big difference in band popularity, for just 12 months ago Glenn Miller drew only three votes out of a total of 3,000 cast. Likewise Jimmy Dorsey, who at the same time last year was 13th in ranking. Now rating third, his righteous brother Tommy, who was in that position last year. There is a certain similarity between the music of last year's leader, Larry Clinton, with that of this year's favorite, Miller. Both set only play original arrangements, but are noted for clean and clear riding rhythm sections.

Miller's last appearance at Cornell was in the spring of '38, when he was still an unknown. He clicked that night with flying banners, as it is no wonder the campus is awaiting his arrival next month when he plays for the Navy Day Ball.

With a combination of Savitt and Gray it was no wonder that this year's Junior Prom was an outstanding financial success. Savitt paired Gray all evening, for there was no doubt his phrasing and relaxation were superior that night.

Despite the fact that Cornell was the last stop on his one-night-stand and the band was tired, Al Dunahoo let the brass ride out for a Housewarming Hop, mixing in an evening good swing, sweet and novelty.

Tony Pastor's vocalizing and sax twirling elicited, but the rest of the band didn't come up to expectations when he played here at a fraternity dance. The same weekend at another house Will Bradley and Ray McKinley played so solid that the "laughter" ran far over.

The Duke Crowned King

Jimmy Lunceford is another old favorite, having played here four times in the last five years. The great Duke of Ellington combined with Lunceford and Les Brown to play for last year's Junior Prom, a moment hit. The "Duke" was crowned "King" for he played his own originals in typical rich yet relaxed style. Lunceford played his "Tain't What You Do" all night, while Brown wisely stuck to popular numbers.

Boris Haidt goes over well here with his show band organization—the first of its kind to visit Cornell in years. Woody Herman's outfit today's "Smooched" itself as yet when they played against Haidt.

Count Basie and Artie Shaw have the fraternity crowd standing and listening, and Tommy and Jimmy Dorsey also have what it takes to please us.

Although they have not appeared here lately, definite favorites are Gene Krupa, Harry James, Erskine Hawkins and Hal Kemp—all still indicated by their poster sales. Thus the discussion brings up the Jaykoff and Hyde aspect of Cornellians—musically speaking. When it comes to buying records we go for (Mr.) Dave and we (Dr.) hearken the syrupy music.

Disappointing Disappointments

That is why if Krupa flams and rolls, James hits a high C, or Basie "bangs it"—the record is a hit. In this same group of "colleagues" items are Bill Crofut, occasional T. Dorsey or Goodman, Woody Herman, Charlie Barnet, Artie Shaw and Raymond Scott. Notable trend in collegiate taste is the large numbers of people who collect hot jazz records such as solo art, all-star bands, Commodores releases, and Chicago-style albums.

When it comes to purchasing a novelty or Irish arrangement we are eager to buy. This is witnessed by the popularity of "Tuxedo Junction," "In The Mood," "Between 10th and 18th," "The Rhythm Menace to Keep It," "Garden of Eden," and almost any Andrew Sisters record.

Was Bonnie Baker and Orrin Tucker swept the campus with their "Oh Johnny" and have repeated surprisingly well with their "You'd Be Surprised" and "Milly" numbers.

The re-eds go for smooth stuff and, as such, Miller, T. Dorsey, Kemp, Krupa and Bing Crosby are their heart-thrills.

"Hi Parade" tunes are a big influence and serve as a gauge for the best sellers in the pop numbers. The arrangement of the song as well as the tune itself is considered when buying records.

The bands to watch on the way up, as indicated by the popularity of their records, are Will Bradley, who should be given better numbers to record; Harry James, whose band plays as solid as its leader; Gene Krupa, who has a most improved orchestra; Charlie Barnet, who is great when he plays "black" links; Woody Herman, whose records are in demand when he sticks to the "blues."

The "home" bands only visit Ithaca about four times a year, so being fans spend the remainder of the time buying and listening to records. An occasional "home" visit Syracuse, Elmira, or Johnson City, but owing to the distance not the many students trek to hear these bands. But Cornellians really go band-crazy when Prom time comes around.

Radio Balling Important

Since we don't use the many bands in person, any radio balling they get is well received up here. A special half hour recorded program of Martin Block's Make Believe Ballroom is reached here through a local radio outlet. The type of music presented is well accepted.

Gripe among students is against the leader who comes up to play with a well-I've-got-to-play-for-these-kids-but-who-gives-a-damn attitude. This lackadaisical situation, which at times exists in the leader right down to the extra union musician, results in a poor impression and sloppy music. The better-wishers should realize that they are not playing to 11-over-all means but to a generation of young people who are the backbone of music from the point of playing, appreciation and buying it.

Dance committees are harassed each year with agencies who supply inadequate publicity pictures, stories, talks, etc. for the bands they book. The prevalent belief is that they have very little sense of public relations when dealing with dance committees. Ask any chairman for proof.

Known for conservatism, Cornell likes its music danceable—which is a plenty practical idea.

(Next Week: Missouri)

There You Heard
G.I.I.E. Inc., Chicago

Erskine HAWKINS
THE CHORUS
Jazz by SOLOIST-REDFIN

BEN POLLACK
AND HIS ORCHESTRA
NOW AT THE
HOTEL SHERMAN, CHICAGO
Dixie
GENERAL AMUSEMENT CORP.

JOHNNY McGEE
AND HIS ORCHESTRA
NOW
ROSELAND BALLROOM
NEW YORK
Dixie
GENERAL AMUSEMENT CORP.

TED LEWIS
NOW
ST. LOUIS
THEATRE
ST. LOUIS, MO.
General Management
WILFRED TOLMAN

BANDS' BAD BIZ METHODS

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated gross charge business being done by major bands in various New York hotels listed are only where the band is the main attraction for supper. Dinner business (7-10 P.M.) was noted. Figures after name of hotel give room occupancy and cover charge. Larger amount designated weekend and holiday price.)

Band	Hotel	Weeks Played	Room Occupancy	Cover Charge	Total Gross
Al Donahue	New Yorker (400; Th-\$1.50)	4	500	4.500	
Jimmy Dorsey	Peninsula (300; Th-\$1.50)	3	1,250	3,750	
Billy Durham	Plaza (200; \$1.50-\$2.50)	7	400	2,325	
Sammy Kaye	Commodore (400; Th-\$1.50)	10	250	2,125	
Frankie Masters	Hamover (400; \$1-\$1.50)	25	1,805	36,700	
Loni Martin	Lexington (200; Th-\$1.50)	12	475	3,225	
Joe Savini	Lincoln (200; Th-\$1.50)	11	1,125	16,925	
Joe Savini	Lincoln (200; Th-\$1.50)	5	525	4,300	
Orin Tucker	Waldorf (Empire) (400; Th-\$1.50)	5	1,050	4,000	

*8 days. Kaye left Commodore Sat. (27).

Entire Walter Barnes Negro Band Dead in Ghastly Dancehall Fire

Natchez, Miss., April 28.—The few survivors of that tragic night club fire that snuffed out 118 Negro dancers at Natchez, Miss., early last Wednesday tell a terrible tale of the manner in which Walter Barnes and his Negro orchestra from Chicago carried on to their deaths. Early the month's greatest fire tragedy of all time, and one of the heaviest losses in history in any American amusement spot, the disaster apparently was caused by the accidental lighting of Spanish moss hanging the Rhythm Night Club, an ancient building that once housed a church.

Some 234 Negroes were at the dance conducted by the Merry-makers Social Club. There were no fire exits, only one narrow entrance inside the building, and the windows had been boarded up to prevent glass crashes. The building was of timber-like wood covered on top and all sides with a corrugated metal. When the fire started, the place became an inferno, the crowd stampeded for the only outlet. A few escaped, but nearly all perished, screaming and clawing, falling in place shoulder high.

The few who broke to freedom and Walter Barnes, the orchestra leader, kept his boys playing on the stand to the very last and pleaded with the crowd to be calm. Not a single member of the band, which was scheduled to play in Memphis two weeks hence for the Cotton Pickers Jubilee, outstanding social event for the race, escaped with his life.

At one time the death rattle was silenced as 234, but the figure was officially reduced by the Mississippi State Department of Health when it was learned that the moving of bodies from one undertaking establishment to another caused the higher total through duplication. Finally a Negro home in the whole section was left untouched by the tragedy. Ed Frazer, proprietor of the club, was among those who perished.

The result is expected to be a state law regulating fire conditions in such places.

SPA MEETS TO CONDEMN BAWDY SONG PURS.

Members of the Songwriters Protective Association will meet at the Park Central hotel next Tuesday afternoon (7) to vote on a resolution condemning the publication of salacious songs. The bulletin will be mailed the next day.

The resolution provides for the setting up of a committee on ethics, to consist of seven members, which will be empowered to impose disciplinary action.

Gentlemen of Rhythm looked to RCA into the cocktail lounge of DeWitt Clinton, Albany, N. Y., beginning Monday (3). Served the Three Suns, who move to Buffalo after engagement at the hotel (this weekend) since last fall.

Astral Cycle

Latest tune with a title denoting an astronomical disturbance that's going the rounds of Tin Pan Alley is "Full Down the Moon."

It's part of the cycle now represented by "Shake Down the Stars" (B-V-C) and "The Sky Full Down" (Wibson).

BANDS ATTACH MUCH B. O. TO RECORDINGS

Importance of popular recordings to the present day band, in comparison to how they were looked upon only four or five years ago, can clearly be seen in the extent to which some bands will go to insure that their castings be made available. Erskine Hawkins' outfit was on the road a week or so ago for a long string of one-nighters when it got a call that there were no more of its records available in press. They had been shoved out in a hurry in an attempt to cash in on interest worked up by one called "Cherry" for Bluebird.

Hudd arranged for two of their dates to be set back until another date, climbed aboard his bus and rode back to New York to put in a stack of glaciers. With the cancelled dates, transportation, etc., the trip cost the outfit approximately \$1,000.

Appeals in Whiteman Sent Set for June 3

Appeals in the Paul Whiteman-RCA Victor suit will come up for argument before the U. S. circuit court of appeals in New York the week of June 3. The date was set last week.

Issue involved is whether the manufacturer or interpretive artist has a common-law property right in a recording, and the appeal is from a mixed decision by Federal Judge Vincent Leitch.

2d GAC Revamp in N. Y.

Second shakeup in the New York office of General American Corp. last week rearranged the office setup. Ann Richardson, who recently shifted from Consolidated Radio Artists to GAC's contract department, takes over Warren Pratt's duties as treasurer and office manager while continuing to help out in the contract end. Pearl will probably become a salesman.

Carl Campbell is out. She handled publicity until that department was abolished several months ago, subsequently becoming Pratt's secretary.

BREAKING THEIR NECKS, PROFITS

Hot for Jobs With Wires, and Being Impractical About It—Creates a 'Buyer's Market,' Through Cut-rate Baskings

PRESTIGE JOBS

By BECKIE WHIPP

Confusion between band bookers appears to be the cause of many of the problems of the band business. The confusion has reached upon the wide field of the band business. Previous to the New York and most of the rest of town, valuable services of band bookers have been the relationship between bookers and bands to a point that can be termed a "buyer's market"—meaning that demand by managers of bands using same funds are writing their own ticket on band prices, on the basis of what they have to offer in terms of a band's career.

They're being wowed up by the southern rivalry of various bands and agencies for places to book, and have found that if their reputation are right, nationally known bands are available to them at prices considered ridiculous in comparison to past standards. So, instead of being told what bands of certain caliber will cost them, they do the deciding with a take-it-or-leave-it attitude, secure in the knowledge some agency will step up at any cost, a chance to put a band in a spot that might push up its popularity.

Cutthroat Bivally

Fault lies more in the intense rivalry between band offices than anywhere else. Offices decide to demand in a desire to keep bands working, with, of course, an eye on resultant commissions. Flood of new bands built in the past year or so is a prime factor in the situation. Work has to be supplied them, which drives agencies to make all sorts of concessions to hold them. They already have exclusives on, and to not in an agency's supposed airtight territory.

Salaries for orchestras are not what they once were, yet the prices currently being offered and taken for bands that have anywhere from \$2,000 to \$15,000 booked in them are startling, and more often than not a band or its agency will pay for a band's work. Even in New York hotels, high prestige stands where a band could be generally supposed to be on the up and up, there are underlings. Such spots are supposed to stand the top for broadest with and musician's union trademark tax, \$2 per man per hour, but most of the time the band stands much cheaper, even if it is on a scale. Means that expenses of that sort lower a band's weekly gross to a point where it costs several hundred dollars a week for the outfit to stay in the place, depending on what salaries its men are paid.

N. Y. Bandhouse Operations

In roundly spent in reduction New York the sky seems to be the limit to what bands and managers will do for a building spot. The outfit housed in under \$2,000 last fall to enable the reopening of a joint the time wanted as a base for network operations. After being there four or five months the outfit walked out being used twice as much in last salaries as it originally enjoyed, besides the arrangement. That's only one of many such instances.

There also are stands in New York that must bands will fight to get all the cover come home. And out of the things a band selected for one of them has to be given up a percentage of its earnings for a certain period after it leaves and

Catch \$25,000-a-Year Music Exec Peculating; Major Scandal in Biz

Film Tunes Off

Death of film musicals is reflected in this week's listing of the best sheet music sellers. Only one tune, "When You Wish Upon a Star," from Walt Disney's "Fantasia," is to be found among the first 10.

The picture has gaps.

Det. Union Bans Quartet for 200 Mile 'Job-Hunt'

DETROIT, April 30.

On the heels of Clyde McCarty's suit against the musicians local here for forcing him off two radio contracts, Eric Hawick, proprietor of Redford Inn, is actively backing against another ruling of the Detroit Federation of Musicians. Hawick charges that the trouble grew out of Clyde Moore's Quartet, members of the Musicians (Mich.) local, being evicted from his place Saturday (2) after four weeks for an alleged violation of union procedure.

Hawick's side of the matter is that a month ago he went to Freddie Mich. 20 miles from here, to meet the Moore outfit which he hired for his Redford Inn. The trouble arose in Detroit, told the Detroit local it was going in, and while it didn't give the customary 48 hours' notice, got an O.K. from Buddy Fields, the business agent, and left in contract for inspection. Hawick said he was paying the band the regular union scale.

A few nights after Moore had retired in Fields is said to have showed up and given the band the notice to come before the board for breaking regulations. Moore was fined \$100 and the other members each \$25, and they carried back to Hawick the information they were subject to being ejected from the place at any moment as further discipline.

Hawick said that when he talked to the union he was advised there were 1,000 unemployed musicians in Detroit. It went out two push-ups for Hawick to head, neither of which he liked. He claims local musicians were being lured at him when other night clubs in the area were using out-of-town bands.

The Detroit Federation, while not answering Hawick's essential complaints, says that the band was not pulled out for failure to send its contract or for an O.K. 48 hours before its opening. It claims the Moore violation had been a different one. The four promoters, two from Kalamazoo, Mich., and two from Muskegon, had driven across Michigan for the position in Pontiac. Local by-law it was said prohibited such things as a 200-mile trip to a first business.

Kendis to Beachcomber With Billingsley OK

Money Kendis, by special permission of Herman Billingsley, book and R. Hirsch (L.A.) owner in New York, who has been under contract, open for Monte Froust at the Beachcomber, 31 Y. tomorrow (Thursday). Fuddy Little, previously with Kendis.

John Kirby, just closing, open at the Hickory House, N. Y., and will double up the Waldorf-Astoria later.

all the places in question. One of the biggest outfits in the business recently completed paying a booklet for a sufficient spot a cut of its gross it had been paying since it left his place last fall.

A major scandal in the music publishing industry, one of the most serious in the history of the business, involves a spotlight investigation into a major outfit whose operations, over a period that may extend one year, has the Tin Pan Alley branch shocked and astonished. For one thing, considering the \$100-a-week income that this outfit has been engaged for many years, plus an elaborate drawing account, even any extraordinary payment on his private manner and mode of living and entertaining just seems to explain away the high standing in the industry.

Confronted with accusations of the outfit reported to total take the time of thousands, he asked his assistant "What do you intend doing with me?" Told the outfit—claiming to be the publisher—initial story is reported to have quickly asserted that that means 10 to 20 years, kill my wife, kill my child, which was the wife's influence factor in saving him from that. The man didn't want to have that on his conscience, and after sipping his formerly trusted executive of all authority, eventually his percentage interest in the money game, etc., told him to stay on a couple of weeks until a house over.

Highly paid in private life, after a long interlarded plugging into every restaurant and casino gambling adventure, and the like, are expected to be the cause of his financial backsliding.

Devices Prevalent

The pervasiveness of devices for in disguise somewhat staged in that pushed expense accounts for employees, money, performance and arranging bills, etc., always included collaboration and collusion with one or another understing. While the organization was commonly known in the music business as a "music outfit," with the pluggers and at least one girl therein mixed up in private and business relations, it was the former who finally spelled the doom.

When the boss of the outfit four or five weeks ago moved his headquarters to be nearby the river, and wondered who bills for \$250 were skipped for understatements that were supposed, and who was backing her up, she told all. She was summarily dismissed, after it also came up she was romantically mixed up with one of the key pluggers in the music house.

Discipline in the financial setup is said to have extended over a period as much as five years, including advances for royalties, with kickbacks to the exec who skyped them, cut-ins on songs that ranged up to 10 percent of total royalty, with the compromise of a kickback there, an alleged technique where, after taking were tanned under dire threat of the music contact men's union, he paid it off in a leader via his personal "extraordinary" expense for spending nights at leaders' parties, etc.

PARK CENTRAL, N. Y., RESUMES NAME BANDS

Park Central hotel, New York, resumes a name band policy for its rooftop Vermont Grove, May 2, where it brings in Del Courtenay's orchestra for four weeks. Spot will have two bands, hotel bookers currently maintaining standards groups to alternate with Courtenay and whatever follows.

Consistent Grove has been redecorated and equipped with a cooling system since it closed for the winter last fall. Red Broadhead's small outfit was the last outfit in the room. Buddy Clarke's orchestra (see listing in the singer) has been in the downstairs Grove most of the cold stretch.

Lee Brown goes back into Apollo Room, N. Y., May 18 for two weeks.

On the Upbeat

Sam Tison, singing-actor at WGR, Buffalo, willing to become a vocalist for Richard Himber.

Drummer Buddy Graff leaves Harold Austin's band, Buffalo, to join Finky Tinton on West Coast.

Long Thompson's contract at William Penn Hotel's Chatterbox, Pittsburgh, extended to June 1, when apt will close for the summer.

Bob Chester band starts its first New York location date at Roca House Hotel, May 15.

Fran Elderly picked to open summer dancing at West View Park, Pittsburgh, in two weeks.

Alan Fife, Bob Chester's first trumpet, out of the band and in New Jersey hospital with an arthritis condition. Nick Prosperi replaced him, joining the band in Atlantic, Pa., Thursday (28).

Ed Weiss back in the Tommy Dorsey band, vice Cliff Bailey, who replaced him after the band left its recent date at the Paramount theatre, N. Y.

Paul Weidlich, former exclusive arranger for Tommy Dorsey, took his first check at handstanding behind Frank Sinatra's current 'Imagination' record now released. He did the arrangements for the singer and the four rhythm, four woodwind, one trumpet background.

Ted Steele's small combo held over at the Lincoln Hotel, New York, when Charlie Barnet replaced Jan Savitt Saturday (27).

Larry Owen, long-term saxist-singer with Guy Lombardo, rehearsing a band of his own.

Joe Bender's 'Highbushers' join Hotel Waldorf, Minneapolis, succeeding Herbie Hinkins.

Reveler Amusement Park near Minneapolis opens with Rudy Shady at its direction. Tlay Hall orchestra follows.

Stage Nineteen orchestra opens

May 2 at the Deukler Wallack hotel, Columbus, for indefinite run. Replaces Jerry Livingston, who moved on to Hotel Schaefer, Milwaukee.

Lee Brown holds over at the Ciro Paves, Chicago, until June 17.

Paul McElaine, is replaced by Ray Kinney at the Lexington hotel, N. Y., and May 12 starts four weeks at Blatz Palm Gardens, Milwaukee.

Tommy Reynolds' outfit spends the summer at Playland, Rye, N. Y., opening May 15, closing Sept. 7.

Sam Williams, Jimmy Dorsey guitarist, scheduled to jump over to the Kay Kyser outfit.

Michael Ayer's outfit leaves out of St. George Hotel, Brooklyn, N. Y., May 13, to open at Kensington Park, Pittsburgh, for 18 days the 19th. It's been at the St. George since last October. Booked for Mutual's 'Show of the Week' program a second time May 5.

Claude Thornhill's new band heads for Coast to start an indefinite date at the Sandaground, Balboa Beach, Calif., May 17.

Frank Sinatra replaces Dr. Fante in the Bob Crosby sax section. Debut gave up the second or third new band he was rehearsing.

Baby Sweets' men giving him his first at the Paramount, N. Y., since, this week. It's his 11th and, as leader of Loew's State theatre pit band.

Jack Teagarden has a new tune he calls 'Chicken Ain't Nothin' But a Bird.'

Leslie Armstrong band set for the Gay New Orleans commission at the New York World's Fair.

Frankie Markey leaves Summerville hotel, N. Y., June 1 and heads for theatre and a stand at Virginia Beach, Va.

Williams College house parties at Williamstown, Mass., May 18-21, will have Bobby Byrum, Will Bradley,

Harry Perry and Bobbie Hawkins orchestras.

Ted Wexler's orchestra, with Marvin Maxwell, his vocalist and native of Fort Wayne, has been booked for a three-day engagement at the Embassy in that city starting May 3.

Sam Ford and his KMOX band will play weekly Saturday night dances at the exclusive Westwood Country Club, St. Louis County, during the summer period.

Joe Barker opens at Topy's in Los Angeles May 22.

Era Baker moves his band into Sherman's ballroom, San Diego, May 4 for three weeks.

Tommy Palmer opened at the Casa Mamana in Culver City, Calif.

Calumma Radio, Birmingham maestro, opens May 13 at Long Beach, Fla., resort for 17 weeks. Radio played same stand last year.

George Sapperton will open May 3 at the Pryor Stagecoach Room, Great Gaymead, Buffalo.

Harry Brown set for Restive (Tex.) 'Ted Steele Days' May 3. Will play at the town's new money auditorium with dance stand at the 41-18.

Glenn Gray orchestra's second generation was added to seven boys and three girls last week with the birth of a son to the wife of trumpet player Grady Walla.

Alvin Ray and his band moved into the Capitol Park Casino, Hartford, Conn., Saturday night for a month's stay. King Sisters, vocal harmony trio, are with Ray. Will play slightly except Mondays, when the Casino will be closed.

Benny Goodman's Columbia Masterworks recording with concert violinist Joseph Szigeti and pianist-composer Bela Bartok will be done in Chicago May 7. Goodman first from the Coast for the session.

Larry Clinton will write part of the score for the live show 'Fantasy on Ice,' with which his band will go into the Hotel New Yorker, N. Y., May 3.

Adia Beyer singing with Les Belmont orchestra on Victor records only.

Joe Higgins set to be married in New York May 7. Elder Higgins is vice of Columbia Records.

Jack Lalor replaces Dick Fisher as guitarist with Glenn Miller. He's also a singer and formerly was with the Tusamiths. Made first record with Miller last week titled 'My Headwork.'

Eddie Davis band signed in N.Y. until 1947 at Lalor's New York salary, a new run record for the spot.

Ellen Arthur band replaced Mitchell Ayres at St. George Hotel, Brooklyn, Friday (3) for three weeks. He added for Ayres while latter played New York Paramount theatre recently.

Will Bradley's outfit will couple with Count Basie's to play the June German hop at Roney Hunt, N. C., June 14.

Hal Kemp down for a week at Eastwood Gardens, Detroit, June 21; another week at Cedar Point, Sandusky, O., June 28, and July 3 at Crystal Club, Virginia Beach, Va.

Sekapele take a two-week vacation after their current one-nighter tour which ends May 18. Their band goes into the Savoy Ballroom, N. Y.

Tommy Dorsey, playing the annual Little Commencement dances at the University of Georgia in Athens, Ga., Friday and Saturday.

New Des Moines Ballroom
Des Moines, April 30.

Now nearing completion at River-view park here is the new park ballroom to be called 'The Riviera.' The ball room is on the site formerly occupied by the Riverview theatre. The floor is expected to accommodate 2,000 dancers and tables and booths are provided for 1,000 more.

Will have a 125-foot open-air terrace adjacent to the ballroom. The park management estimates value of the new building at \$25,000.

RECORD REVIEWS

Gene Krupa 'Happened in Kathie'—'Love You Back' (Columbia 34528)
Surprising sides from the usual driving Krupa bunch. 'Happened in Kathie' is done up in tasteful fashion, piano leading a smooth and fluid playing of a good arrangement. Krupa's drums are full rather than hard. Howard Dubinsky's vocal is strong. 'Love' is able company, played in almost the same tempo but with a stronger beat. Clarinet breaks it up. Gene Krupa's vocal draws attention.

Larry Clinton 'The Little Boy'—'Lady Sold Too' (Victor 34521)
First is a jumping rhythm piece with little melody but, in its groove, an okay tempo. Drums are strong but surrounded by pushing brass and brass not too noticeable. On the reverse 'Lady,' however, the ensemble is not as strong, and the heavy drums stand out for too much. On top of that, the guy steadily pounds away at symbols. It antagonizes in quick order. Fred Larry vocals 'Lady.'

Adrian Hall 'Happened in Kathie'—'Dark Eyes' (Vocalion 34521)
Hall's soft, melodic touch leads a relaxed and relaxing appeal to 'Happened in Kathie.' It's done in slow tempo, sensuously pepping in a faster speed. 'Dark' also changes pace and is handled in equally fine style. Starts slow then shifts to a rhythmic tempo, giving short breaks to accompanying guitar and bass.

Big, Elmer 'Through With Love'—'Something Remember' (Blackbird 14521)
Platter label doesn't let the man Elmer know as backing, but from the playing it must be half the Benny Goodman band. Yesterday pop is solidly handled by a group with strong sax and rhythm teams. Elmer's rhythmic trumpeting up front tops sax and piano breaks. Backing is handled in the same manner and is equally acceptable. Same solo prevail. Both have a slow beat life.

Johnny McGee 'Happened in Kathie'—'Happened in Kathie' (Vocalion 34521)
McGee's muted horn makes 'Happened in Kathie.' It traces a fine melody in rhythmic tempo at start and finish. Band in between is okay. Betty Bradley kicks the vocal all over the lot. Chills for the other side, excepting Alan Garner's handling of the lyrics.

Will Bradley 'So Far, So Good'—'Flying Home' (Columbia 34521)
Bradley's new outfit shows up much better on this than some of its recent issues. Flying imports a punch and drive to the pop that makes it click. However, Carlotta Dale's narrow-ranged vocal does little to help Bradley's hot trumpet, a sax, and brisk paced ensemble fare and all make it good listening. Reverse is also in a pop groove. There is an original, mostly arranged for this band. Trumpet, sax and trombone breaks interrupt the ensemble. Both sides are based on Ray McKinley's strong tempo holding.

Hal Kemp 'Can't Love You Anymore'—'Where Do I Go' (Victor 34521)
Quiet punch is in the billing and smoothly played 'Can't Love.' Muted trumpet, piano and reed teams alternate with the triple-tongued brass for a nice effect. Sax solo late starts it jumping. Tempo is average. Janet Blair's vocal is easy to take. 'Where' arrangement fails to improve with repeat playing, however. It's a smooth job but it lacks life. Muted trumpet and Bob Allen vocal makes it glow a bit in the last half.

Al Dunham 'Imagination'—'Let There Be Love' (Vocalion 34521)
Dunham band slipped up a bit on these two. 'Imagination' evidences a more too strong arrangement, played at a bounding, better than average tempo. Paula Kelly vocals poorly. 'Love' is kicked up still faster and has little appeal, the arrangement becoming monotonous. Phil Harris vocal is on-on, voice seemingly off-timed to each word.

Glenn Miller 'Never Smiles Again'—'Shamba Jump' (Blackbird 14521)
Miller gets nice treatment. It's got an easy lift and the arrangement is both melodic and colorful. Ray Charles takes the vocal. Marion Hutton does a better than average vocal on 'Shamba.' Ten Brooks can stand out of last half ensemble that pushes all the way.

Miller 'Harden'—'Melancholy Baby' (Blackbird 14521)
Another pair of standards, smartly handled. Appear mainly of the Hungry Carnichael is smoothly interpreted with a sax and solid trumpet in the only embellishment. Reverse is a bit faster tempo with a lively sax hit. Ten Brooks vocals, coming over similar to Jack Teagarden.

Charlators 'Garden of Eden'—'So Long' (Columbia 34521)
Quartet of singers with instrumental background sticks handson with its version of the 'Garden' pop. It's interestingly arranged and sung as a Negro spiritual, vocal blending and tricks setting it solid. Run off at a medium but bounding rhythm. 'So Long' is a slow tempoed piece that increases effectiveness with repeat playing.

Karin Cugat 'Pa-Pa-Pa-Pa'—'Love Me' (Victor 34521)
A moving Latin piece, 'Pa-Pa' kicks up an abundance of favorable reaction via Cugat's treatment. Muted trumpet and a sharp piano hit stand out above good maracas bounding all through. Carmen Castillo and Nina Lopez vocal is strong. Tempo is fast. Coupling is slower and brings out strings; a next arrangement pointing up good background drums and more piano and trumpet.

Dick Jurgens 'Concentrate On You'—'Between You and Me' (Vocalion 34521)
Biddle Burrell's vocal in 'Concentrate' makes the side a clinic piece of listening. An easy range and soft tones put him over with plenty to spare. Band is okay behind the lyrics, which convey most of the side, and the backing spins are neatly dressed. 'Between' gives the outfit more chance, its smooth and sweet style making a nice impression. Howard again vocals.

Charlie Barnet 'Where Was I'—'Head I Do' (Blackbird 14521)
An about law for Barnet, a band whose usual fare is driving swing. 'Where' is a slowly and smoothly played ballad, appealingly arranged. It's a good change of pace from the band's recent string of pop numbers. Barnet's sax is strong in several spots. 'Head' is an okay relief coupling. It's a medium speed rhythm piece and a little melody. Sax is only break. Mary Ann McCall tackles both sets of lyrics.

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Alvin Theatre, New York

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(Week ending April 27, 1940)

Wendy's Song	Bush
When You Walk Upon a Star (Punchline)	Berlin
Stingy Hills	Seely
With the Wind and the Rain in Your Hair	Paramount
Pharmen	Seely
In an Old Dutch Garden	Harris
A Lover's Lullaby	Jewel
Leslie on the Old Top Hat	Fritz
Let There Be Love	Shapiro
On the Life of May	Famous
How High the Moon (Two for the Show)	Chapman
After Blue Gown (Jewel)	Fritz
Starlin Hour (Vanities)	Berk
The Romantic (Road to Singapore)	Paramount
Tween Junction	Levi
Phonograph (Prodigious)	

Inside Stuff—Music

'What Was It?' the pop tune currently rising on the song list originally was an untitled, incidental background walk for the first screen version of 'One Way Passage,' produced in 1932. Over the years Warner Bros. got many requests for its name, but it wasn't until six or eight months ago that it was first published. Al Dubin wrote a set of lyrics, and it was printed under its current title, but still a write, by Remick Music.

When production started on the film 'Till We Meet Again,' remake with a different title and cast, the tune was used again but this time done as a vocal in ten-foot ballad tempo. At the time 'Passage' was circulating, Sammy Kaye's band was just starting. Some men in the band saw the picture, heard the number and sent an arranger to see the film and copy the melody. They titled it 'One Way Passage.' When Kaye was making up the current version for remaking the melody, dug up his copied manuscript and showed it to Remick officials.

It took two years for Duke Brown to get Johnny Mercer to finish a set of lyrics for 'You're Just In,' which Bregman-Vernon-Cox recently published. Brown had the melody on paper years before Mercer heard it in Hollywood and agreed to a set of lyrics for it. Before he could get around to finishing it Mercer returned to New York and in due time not only became a publisher on his own (Mercer & Morris) but was wrapped with the writing of a couple shows. About two months ago he was reminded of the unfinished job.

The two writers got together and after the lyrics had been completed Mercer waived his obligation as a publisher since Brown had gotten a tentative acceptance from B-V-C.

Two firms, affiliated through ownership but otherwise acting separately, are currently working on the song 'Imagination.' Berlin originally published the number but when the Irving Berlin score of 16 tunes for the left musical, 'Lullabies,' came along it was turned over to ABC. He asked, in order to clear Berlin's debts.

However, a 'drive' has been started on 'Imagination' and to insure its success part of the job of plugging has been handed the Berlin, Inc., staff. It's an unusual thing for two firms to be working on the same tune, at least not.

Recent fire which destroyed the Main Central hotel, Ashbury Park, N. J., not only temporarily put Tommy Tucker's orchestra out of a job, but also destroyed all the instruments of Ben Casey's band, which had been playing in the room Tucker was scheduled to inhabit, come June 18. Casey lost his entire wardrobe and about \$200 in cash which he had cashed under a rug. He personally, however, was credited with a hero's role for awakening and helping to safety many of the hotel's occupants.

Jim Towner, old time pianist and instructor of the Singin'-Wingin' boys now at Cafe Society, New York, has recorded an album of piano solos for Victor Records. He has been working as groundskeeper for the Chicago White Sox baseball club.

He cut 'Yummy Special,' 'State Street Special,' 'Till 'Em About Me,' 'Five o'Clock Blues,' 'Slow and Easy Blues' and 'Mellow Blues.'

CARL FRED'S BAND

Chicago, April 30. Carl Fred, standard for years in radio with comedy violin and harmonica acts, has organized an orchestra and starts a run May 18 in the Club Four-way here.

Fred will utilize several men in the sequence to double to harmonica for special arrangement material.

YESTERDAY'S HIT
TODAY'S REQUEST

AVALON

Recorded by Harry James and His Band, on Columbia 40141
and Alvin Karpis and His Band, on Decca 1484

AIN'T WE GOT FUN!

Recorded by Benny Goodman and His Band, on Decca 1514

REMIK MUSIC CORP.
1230 Sixth Avenue
New York, N. Y.

Larry Clinton Draws 2,200

Kansas City, April 30. One night at the Pla-Mor ballroom with Larry Clinton and orchestra drew 2,200 dancers last Thursday (27). Admission at the gate of \$1 per person and advance sale of 50c per ticket totaled around \$2,000, figured very good by Manager Will Whitt for a week night.

Clinton drew some in here from a series of one nights in Iowa, and went on to Columbia, Mo., to play at Stephens College Friday and Saturday. Following that the band goes into Oklahoma and Texas for several ballroom and college dates, and then heads eastward to wind in New York in about two weeks.

Harry James and his orchestra played the Pla-Mor week-end following Clinton, and Rudy Bundy came Tuesday (30) for a three weeks' resident job. Jan Decker is scheduled for a one nighter May 11.

Buddy's Coast Appearances

Hollywood, April 30. Auditions were held last week at KNE by Leopold Stokowski for his all-American Youth orchestra of 100 pieces, which will tour South America and Cuba.

Tryouts will also be held in 18 other cities.

MPPA-SPA

(Continued from page 2)

promptly approved when a death occurred in the ranks.

Country to general custom, Bush pointed out a few celebrities on the main floor, among them being Fritz Kreisler and Vincent Youmans. Harry James and Oscar Hammerstein, 2d, both elected to the dinner table since the date of the last annual dinner, were also selected for a bow. The shortest speech of the night was made by L. Wolfe Gilbert, Hollywood representative of ASCAP, who merely observed that when he left California it was raining and hailing.

Among Those Present

Several widows of prominent members attended the general meeting, among them being the widows of Elizabeth Meritt, Norman Parker, Henry Hadley, Charles E. Harris, William Jerome and James Weldon Johnson. Dorothy Fields, the daughter of Lew Fields, and Mrs. Robert Bartlett, daughter of Victor Herbert, were also present. Rev. William J. Fyfe and Rev. Joseph Connor represented the clergy and Lind. Charles Bender, director of the U. S. Navy Band, was also in attendance.

Descending the dais on Bush's right sat Mrs. Bartlett, while on his left was Mrs. Johnson, widow of the Negro composer. Others at the head table included Joe McCarthy, Raymond Hubbard, Wolfe Gilbert, Miss Fields, Irving Caesar, Harry T. Burleigh, E. B. Marks, Richard Rodgers, Mrs. Hadley, Gustave Schirmer, Dennis Taylor, Mrs. Davis, Dr. Walter Dammann, Mrs. Parker, Louis Bernstein, W. C. Handy, Norman Johnson, John G. Fisher, Louis H. Friedlich and E. C. Mills.

Recently, when the Academy Awards were presented in Hollywood, Bush was present to hand out the Oscar to the winners of the best song of the year. This fell to E. Y. (Yip) Harburg and Harold Arlen, authors of 'Over the Rainbow,' but Harburg was in New York and Arlen was forced to take the Hollywood bus solo. At the dinner Bush called out Harburg and before the assembled diners threw the party that he would have handed him in Hollywood had he been present.

TO QUIZ FREDDIE RICH
ON HIS BANKRUPTCY

Attorney Harold M. Goldblatt was named trustee this week in the bankruptcy of Freddie Rich, and May 6 was set by Referee Over R. E. Shoben for further examination of the architect's books. First creditors' meeting was held last week.

Rich filed the bankruptcy petition, his second in 12 years, on March 28. He listed liabilities of \$24,000 and no assets, although his musical scores, arrangements and rights to published songs will be sold to pay off the creditors. One of the heaviest debts is due his wife, Eula Marlene Rich, who claims \$13,732 for money loaned.

ZUGSMITH SUES CBS

Says He Was Excluded to Percentage, Didn't Get It

Albert Zugsmith filed suit Friday (28) in the U. S. supreme court against Columbia Artists, Inc., seeking damages of \$100,000 for alleged breach of contract. The plaintiff claims that in 1932 he entered the defendant's employ as head of the research division to promote and exploit business. He claims that on Jan. 1, 1933, Ralph Wonders, manager and operating head of the defendant, entered an oral agreement with the plaintiff to pay him \$5,000 yearly plus a percentage of the amount of income to business.

The contract was renewed in 1934 and 1935, but outside of the regular salary Zugsmith stated he was not paid the percentages. He was informed, the complaint says, that he would receive it eventually. In 1935 he left Columbia's employment and has not yet been paid, according to the claim.

'Liberty (Mag) Belle' Stunt Encounters
Trouble But Is Salvaged By MCA

It's Bad, Sez Bosses

Regina, Sask., April 30. Jostling to tag the young people in Canada and United States and leading to immorality, said Harry Buss in a newspaper interview in Winnipeg when he played a one-nighter there.

When the young people start jostling they don't care what the band is playing as long as they have a drum beat. They are more interested in anything else, he said.

WLW-WSAI GO
FAR FOR DANCE
REMOTES

Chattanooga, April 30.

Crosley's WLW and WSAI, which have the exclusive on dance band remotes from all Cincy spots but the Hotel Gibson, home of the WCKY station, have added Tom Devine's Maple Hall band, Indianapolis, to the list of such broadcasts. When the outdoor season opens, WLW and WSAI will receive pipings from Buckeye Lake, O., upstate resort, and also make street pickings from Cincy island, leaving local amusement park. Feeds are made to NBC nets.

Broadcasts from the Indianapolis spot at present are on Saturday and Sunday nights. Buddy Rogers' comedy played there last week-end.

Greater Cincy places whose name bands are heard on the Crosley stations are Beverly Hills and Lookout House, Kentucky cities; Melrose Place hotel, Old Vienna, downtown Cincinnati, and Barry Kapp's Sign of the Drum suburban cafe. Mobile unit relays also are made of dance band programs from the Ohio River excursion steamer Grand Queen.

Harry Tiedeman Dies

Harry F. Tiedeman, 52, head of the music arrangement department of the William Donaldson, Douglas & Gumble, died April 29 of a heart attack in New York. He was with D & G for over 16 years coming there from Wallerstein, Berlin & Snyder.

His widow, Mrs. Vera Bailey Tiedeman, survives. His home was in Baldwin, L. I.

Julius Nye vocal arranger and coach for 'Dancing On a Dime' at Paramount.

Almost cancelled entirely, the one-night stunt composed of Bob Chester's band, Martin Downey and Enthe Wright, which was scheduled to meet the south for 21 days to select a 'Liberty Belle,' has been salvaged by Music Corp. of America. Purpose of the unit is to pick a former candidate each night from among dance schoolmen, who will be eligible for the title 'Liberty Belle' and a spot in Billy Rose's Aqueduct at the New York World's Fair.

MacFadden Publications was behind the idea as exploitation for Liberty Mag, the tag being to give up the contest in the job. MacFadden guaranteed salaries for the first two weeks of the tour, which was to be booked by a Harry Gordon, MCA not taking any hand in that whatever. Its only interest was to supply the talent. Rose's only angle is the exploitation derived, for which he supplies a spot in his show for the winner.

Gordon ran into difficulties booking the tour and finally turned the duties over to Harry Mann of MCA. Only two weeks of the original 21 days will be filled. Unit opens today (1) in Winston Salem, N. C., and continues a full week through one-night shows in Columbia, S. C. (2); Spartanburg, S. C. (3); Charlotte, N. C. (4); Asheville, N. C. (5); Greenville, N. C. (6); and Raleigh, N. C. (7). Next are stop and dance hops.

Golden Gate Hoofery
To Split Name Bands
With Boxing, Basketball

When it reopens in July, the Golden Gate Ballroom, New York, will be used for dancing only three nights a week, the other four evenings boxing, basketball and organization meetings. It's scheduled to close June 1 for the summer, undergoing a refurbishing during that time.

Max Gale, owner of the Savoy Ballroom, which is opposite to the Golden Gate, recently bought the latter. He intends using name bands only Thursday, Saturday and Sunday. Gale will build a team of his own gym jump hunters or make arrangements with a colored gym team to make the G.G. its home grounds. Making the ballroom a part time sports arena is based on the fact Harlem has had no such center for some time.

Elect Buddy Morris

Edwin H. (Buddy) Morris has been elected as the third member of the publishers' appeals board in the American Society of Composers, Authors and Publishers to fill the vacancy created by the death of Len Diamond.

His associates on the board are E. B. Marks and Elliott Shapiro.

JUST A NATURAL, EVERYDAY GREAT SONG

THE SINGING HILLS

If it's 'LOOK DOWN MY RAIN RAIN'L' they want—
If it's 'SLIDE DOWN MY CELLAR DOOR' they ask for, it's

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That Big Novelty Sensation by SAXIE DOWELL

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RARELY HAS A SONG TRIUMPHED WITH SUCH INSTANT SUCCESS!

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Lyric by BOB KENNY and CHARLES KENNY

Music by WILL GROSS

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4A's Committee to Handle All Disputes At N.Y., S.F. Fairs; AGVA, Rose Peace

All wage matters and working conditions affecting actors at the New York World's Fair and the Fifth Exposition, will now be adjusted by a single committee, made up of executives of the various Associated Actors and Artists of America affiliates. Committee has plenty of power and each matter will not again go to the courts of the actor-artist union.

Although a basic pact with the Fair was signed, individual contracts with the commissions and shows remained as yet to be placed in final form. Understood that the commissions preferred waiting to see that all shows would get the same regulations. The same base minimum pay of \$40 for shows and \$60 for principals applies to all major attractions.

Committee includes Frank Gilmore, Fair A's; Florence Marston, Screen Actors Guild; Walter Gross, Equity; Ruth Richmond, Chicago Equity; Hoyt S. Haddock, American Guild of Variety Artists; Emily Hall, American Federation of Radio Artists.

San. AGVA Press

After a brief, but cooling, name-calling last week, the American Guild of Variety Artists and Billy Rose quickly patched up their differences and signed a contract for the latter's Aquanade and Barbary Coast shows at the New York Fair and his Aquanade at the San Francisco Expo. Showmen also agreed to negotiate a contract within the next week for the new show to go into his Diamond Headline variety, N.Y. Rose planned to the Coast late in the week, but is due back today (Wednesday).

Deal call for minimums of \$40 for shows and \$60 for principals, for 22 shows, plus \$5 each for extra performances. Doubling calls for an extra \$7.50. There will be no deductions or fines and no discharge for illness. The Aquanade shows will be started in the rain. Girls in the Aquanade will have four days a month off. Water will be regularly tested by some outside agency mutually agreeable to the two parties. Wage rate and number of performances are the same as at (Continued on page 41)

MORRIS OFFICE TO BOOK ST. L. FIREMEN'S SHOW

St. Louis, April 30.

The William Morris Agency, New York, has inked a pact with James E. Darr, manager of the St. Louis Municipal Auditorium, to produce a variety show for the local Firemen's Pension Fund next fall. Name bands and acts will be brought here for the show, which probably will run a week. Until a year ago the local fire fighters sponsored a circus show and received a slice of the box revenue.

The firemen will donate, solicited advertising for the program and plugged the horse show with its quarter warbling over local radio stations. This same procedure will be followed next fall.

Dr. I. Q. to Louisville

Chicago, April 30.

Dr. I. Q. (Lew Valentine) has been on for personal appearances and broadcasts for Mary Candy from the Lower Theatre in Louisville for six consecutive weeks starting May 17. Dr. I. Q. is now playing Majestic in Dallas, where he is standing 'em up at all broadcast performances.

Grant advertising agency, which handles the Mary account, is also handling 12 more NBC-red stations for the Dr. I. Q. program.

'SCANDALS' WILL TOUR IN VAUDE

San Francisco, April 30.

George White's 'Scandals' switches in playing vaudeville with a booking already set at the Paramount, Los Angeles, starting May 18. Show closed here Saturday night (17).

Originally intending to play one-nighters in the east and northwest, White is taking one-week stands at picture houses, which necessitates a revision and condensation of his show to an hour and 25 minutes. With the exception of Willie and Eugene Howard, the cast will be practically intact.

Virtually the stars of the show, the Howards will have to be replaced, or several skills eliminated. Also many of the blackouts border on the risqué, which undoubtedly demand elimination or self-censoring to meet the picture audience taste. From Los Angeles, White heads east, expecting to play Kansas City, St. Louis, Chicago, Pittsburgh and Cleveland.

HARRIS DROPS 1-DAY VAUDE TRY IN NABES

Pittsburgh, April 30.

'Ma rick' was chalked up by Harris Amos Co.'s experiment with one-day a week vaude in six nabes houses and presentations have been dropped after a month's try. Four units were booked and played out their time, but h.a. failed to improve as expected and management decided to call whole thing off. Excess said they may try again in fall, but that's doubtful.

Shows were bought in New York by Eddie Sherman and did a neighborhood circuit, including Beechview, Monday; William Penn, Tuesday; Perry, Wednesday; Liberty, Thursday; Manor in Jesette, Friday; and Denis, Saturday. Tied off with 'Hollywood Doublets.' Emerson's Mountaineers, Cappy Barrs harmonica band and Radio Ruler following.

Don's Beachcomber, L.A., Sues Proser's B'way Spot

Music Proser's Beachcomber, on Broadway, allegedly thefted the name of her Don's Beachcomber Cafe, Los Angeles city, according to Corp. I. Bond, who filed an infringement suit in N. Y. federal court Thursday (28) against the Beachcomber Restaurant, Inc. Also named as defendants in the action are Proser, Walter Raitche, Joe M. Gifford, Robert Ching, Louis Jexler, Joseph Constantine, Marietta Rovers and 20 other officers and directors of the defendant corporation.

Plaintiff's suit, which she acquired in 1934, represents an investment of more than \$100,000 and does an annual business of \$250,000, the complaint asserts. Miss Bond says she planned to establish similar cafes in Chicago, New York, Miami and New Orleans.

Defendants incorporated in August, 1936, and on Dec. 28 launched the Beachcomber on Broadway. They are generally charged with having copied the plaintiff's restaurant's features. An accounting of profits, injunction and damages are sought.

The Coast operator opens her Chicago branch on the near northside, with Mike Fritzel and Joe Zankowsky associated. Proser meantime opens his Boston branch May 8, and a Philly adjunct will follow, after he gets the N. Y. Fair Zankowsky nitry under way.

Charles Ahern Dies In N. Y. at 54; Comedian In Show Biz 40 Years

Charles Ahern, 54, known to vaudeville for his tramp comedy acts, died Friday (30) in Bellevue hospital, New York, reportedly of an incurable disease. He entered the institution on March 13, virtually delirious.

Ahern was on the stage for 40 years, starting out in a crying troupe. He later did a bike single, worked with his wife in a two-act and then turned to comedy in burlesque and musical comedy. In the latter he appeared with Anna Held in 'Jubilee,' Gertrude Hoffman and had an 11-month run abroad in a Paris revue starring Mistinguett.

His engagement with Mistinguett was the most important in the career of the 'Charles Ahern and his Minstrelles' act, a tramp musical turn including nine men ranging from subjects to gladiators. This act got headlines killing in vaudeville, although his salary never went above \$1,500 a week.

Ahern's illness evidently wasn't known to his friends or the trade, his death coming as a complete surprise. He leaves a widow, said to be living in New Orleans, his mother and two sisters, who live in Wallingford, Conn.

The Will Rogers Memorial Fund took care of the funeral expenses, services having been held Monday (29) at St. Malachy's Church, N. Y., with burial in Kensal Cemetery.

AFA DEATH BENEFIT HEARING POSTPONED

Application of Frank E. Lynch, as one of the four trustees, for the dissolution of the death benefit fund of the American Federation of Actors, and for an order authorizing him and Ralph Whitehead, as executive secretary of the AFA, to dissolve the fund, was postponed again, this time to May 15, by N. Y. supreme court Justice Edward Koch yesterday (Tues.). The postponement came by mutual agreement in order to allow the trustees to give consideration to those who have died since the mailing out of the first notices of dissolution.

The fund, approximately \$17,000, will have to be proportionately reduced. Previous postponement came as a result of opposition of Alvin Correll, executive secretary of the Theatre Authority, and member of the counsel of the defunct AFA. Correll had claimed the trustees named are not qualified, that the necessary 15% vote for dissolution had not been obtained, and that Gus Van and Rudy Vallee, the other two trustees, had not been notified. All these charges had been challenged by Whitehead, who charged Correll was playing politics.

AGVA Sets Deals With 26 Niteries In and Around Hub; 400 at Meeting

Frisco Vaude Flop

San Francisco, April 30.

An experiment with weekend vaudeville in the hope of stepping up business at the President, a downtown second run house, has failed to stick.

A two-weeks notice to musicians and stagehands was posted this week and the house will revert to pictures only. House has been using two acts of vaude on Saturday and Sundays.

CHI'S ORIENTAL BACK TO VAUDE

Chicago, April 30.

Jonas, Link & Brinkner's Oriental, which returns to vaudeville on May 17 after 18 weeks of 'Come with the Wind,' will have Milton Berle as headliner for the initial show. Other future headliners are set to Sophie Tucker, week of June 4.

With the return of the Oriental to vaude, the hoop situation again becomes competitive between the Balaban & Katz troupe, Chicago and State-Lake and the J. L. & E. Oriental.

B. & K. State-Lake rode to high profits and built a huge following during the summer of Oriental from the vaude situation. Striving to protect that advantage, B. & K. has booked same acts for six weeks in advance into both of its downtown variety houses.

Milton Berle, making up a 'comedy week' for Chicago, week of May 17, when he opens at the Oriental. Joe Lewis will be then current at the State-Lake and Bob Hope at the Palace.

PARIS BLACKOUT BROKE UP MILLER BROS. ACT

Johnny Miller is back in Harlem after spending the last three years in Paris recovering from accident during his act with the Miller Bros. retired trapeze act.

He was doing a changeover on the bar in the Moulin Rouge, Paris, when a fuse blew and the place blacked out. Johnny plunged over the bars and into the pit, breaking his back.

Brothers will try to put act together after three-year layoff.

Boston, April 30.

Contracts have been signed by the American Guild of Variety Artists with 17 vaudeville and variety agreements clinched with nine others. Kenneth Howard, national organizer for AGVA, informed a mass meeting of 400 members here yesterday (Monday) in the Hotel Touraine. All but two agents have agreed to book only into clubs agreeing to pay the AGVA minimum, and these two holdouts are considered of minor importance.

Henry Dunn (Crown and) appeared on the program in the role of member of the national board. Thomas Boma, New England representative; Angie Lewman, local board member; and Billy Dunlop, v.p. of the Boston chapter, were other speakers at the meeting. The local AGVA, with jurisdiction throughout New England, has increased membership from 400 to 800 within a month, Howard said.

Written agreements have been signed with Club Mayfair and Latin Quarter, Boston, both in Class A. Class B clubs signed Southland, Hotel Westchester, both Boston; Lawrence Halloran, Capri, Lawrence; Lantry's, Lowell. Class C: Terry's, Twentieth Century, Blue Moon and Lawrence Cafe, Lynn; Mahoney's, The Penguin, and Sam Heath House, Nahant; Green Cafe, Beverly; Midwinter Arms, Danvers; and Dorgan's Old Harbor House, South Boston.

Members were asked not to work Blumfeld's and The Old Fashioned Cafe, both in Boston, and Marie's in Lawrence, but within an hour after the meeting Marie's had come in on a verbal agreement. Verbal agreements, covering all salient points of the usual AGVA contract, Howard announced, had been obtained from (Continued on page 41)

PHILLY EMA NIXES TIEUP WITH ARA

Philadelphia, April 30.

The Entertainment Managers Assn., local organization of 18-performers, has turned down the overtures of the Artists Representatives Assn., national agents group, and will remain entirely independent.

'We have nothing to gain and everything to lose by joining ARA' was the consensus of opinion of the EMA executive board meeting last Friday (29). The board declared that the ARA had nothing to offer as an inducement to warrant the \$500-per-act initiation and membership fee.

It was learned that the EMA had been dickering with the Amusement Employers Association (AFL) for a charter before Joseph Weber's (Musicians Union proxy) blast claiming that agents are employers and ineligible to affiliate with the AFL.

It Happened Again

JACK DURANT

NOW—ROXY, New York

After Appearing Here Only 7 Weeks Ago

Also Happened at . . .

LOEW'S STATE, New York

. . . Repeated within 5 Weeks

Also Happened at . . .

LOEW'S CAPITOL, Washington, D. C.

. . . Repeated within 7 Weeks

So What!!!

Direction: WILLIAM MORRIS AGENCY

Finally

A Dance Team That Is Different

LENI BOUVIER

AND

EUGENE VAN GRONA

RAINBOW ROOM

Rockefeller Centre, New York

(HOLDOVER ENGAGEMENT 7th WEEK)

Mgt. by BENJ. DAVID (Many thanks to Mr. John Roy)

Thanks, Mr. Brandt!

for proving

"VAUDEVILLE IS NOT DEAD"

but very much alive if you give the public
what they want, at prices they can afford.

At the end of a successful season, I am sure the following bands and acts who have appeared in the Flatbush and Windsor Theatres join with me in extending our sincere thanks to you for the courage you displayed in pioneering the return of Vaudeville, employing hundreds of musicians, actors, stagehands, billposters, operators, ushers, etc., thereby making a great many American families happy.

Sammy Kaye and Orch.
Bob Crosby and Orch.
Ben Bernie and Orch.
Cab Calloway and Orch.
Paul Whiteman and Orch.
Charlie Barnet and Orch.
Jimmy Dorsey and Orch.
John "Scat" Davis and Orch.
Shep Fields and Orch.
Ozzie Nelson and Harriet
Hilliard
Russ Morgan and Orch.
Vincent Lopez and Orch.
Bob Chester and Orch.
Red Norvo-Mildred Bailey
Rita Rio and Orch.
Bobby Byrne and Orch.
Charles "Buddy" Rogers
and Orch.
Ramona And Her Men
Of Music
Count Basie and Orch.
Vic Schoen and Orch.
Stuart Allen and Orch.

Tony Martin
John Boles
3 Andrew Sisters
Abbott and Costello
Harry Richman
Jack Haley
Mary Carlisle
Marie Wilson
Willie and Eugene Howard
Dead End Kids
Henry Armetta
Bert Wheeler
Vilma and Buddy Ebsen
Lou Holtz
Patricia Ellis
Betty Hutton
George Jessel
Helen Morgan
Morton Downey
Jimmy Durante
Johnny Downes
Jim Barton
Maxine Sullivan
Beverly Roberts
Phil Regan
Dixie Dunbar

Milt Herth Trio
Toby Wing
Benay Venuta
Henny Youngman
Cross and Dunn
Molly Picon
Adrian Rollini Tri-
Jerry Cooper
3 Stooges
Sammy Cohen
Sheila Barrett
Al Trahan
Cass Daley
Bob Howard
Jack Durant
Frances Faye
Eddie Garr
3 Diamond Boys
Slate Bros.
Paul Ramos
Merry Macs
Debonaires
Low Parker
Cully Richards
Minevitch's Harmonica Rascals

AND MANY OTHERS

*And Mr. Brandt, here's good luck when you reopen
the Flatbush and Windsor Theatres with bigger and
better vaudeville on Labor Day.*

Charlie Barnet

CITE PITT SPOT FOR 'BOOZE CUTTING'

Pittsburgh, April 30.

Old Blay Gardens, one of town's top saloons, was cited here last week by State Liquor Control Board for selling booze. Specific charges read "wholesaling, bottling and/or commingling" whisky, with raffling a state store bottle and with improperly advertising entertainment attractions.

John Bruggie, proprietor of spot which has been jointly managed by Elai Corvato, head leader, and John Lazzari, claimed he couldn't understand how one bottle of "off" liquor found on the premises by a Federal agent could have fallen about 75¢ in price, as charged by a Government chemist, who said it appeared to him that "some water had gotten into this bottle."

Bruggie added that he wouldn't think of "jeopardizing my large investment" by stopping to adulterate at his goods. As for the improper advertising charge, he said an employee had misunderstood some advice given him by the liquor board agent.

Saturday (27) saw the closing of Old Blay Gardens, license having been ordered to vacate some time ago because building was being remodeled into storehouse. Understood new location of saloon will be on Liberty avenue downtown in downtown spot occupied several years ago by Joe Miller's Main Bar. However, no announcement to that effect is being made until owners see how the liquor board charge against them comes out.

Closing of Old Blay followed on heels of reversion of Plaza Cafe's liquor license. Latter spot held day board's decision was handed down, and place has been subsequently padlocked. However, licensees can allow its reopening if application is okayed. Plaza's blew toward around 30 people out of work, with Jimmy Peyton, head leader, who was featured there for more than two years, pondering an offer to become partner and maestro at a Stillmanville, O., spot. His decision has been announced yet on charge by liquor board that Associated Artists Guild, week drinking club connected with Pittsburgh Playhouse, peddled booze to non-members.

2 Cafes Get Respite

Minneapolis, April 30.

"Happy Hour" and "Curly's," town's largest and leading nightclubs, were granted restraining orders yesterday (Monday) by district court to prevent city council from revoking their licenses. Closing of former was threatened because of alleged gambling, while aldermen wanted to put Curly's out of business because of selling liquor after hours.

Development is result of publicity war that has engulfed city following Law Enforcement League's activities.

ATTENTION!

HIGH ACTS NOVELTY ACTS

If you are interested in working variety acts and fall festivals in Kansas and Missouri, send in letter on your art with photos and prices to

J. W. McCannell, Director
KMBG ARTIST BUREAU
Pickwick Hotel, Kansas City, Mo.

Best Coffee in England QUALITY INN

Lancaster Square
LONDON, WEST-END

SECOND RETURN ENGAGEMENT WITHIN TWO WEEKS

GEORGE MOORE

M. C.'ING THE HEADLINERS
Currently STATE-LAKE THEATRE, Chicago
DIR: MORT INFELD

15 YEARS AGO

(From Variety)

From a \$134 weekly salary in Metro's stock company, to \$2,500 weekly as a film star, marked the two-year advance of Norma Shearer. She was given a new five-year contract.

Greenwich Village was "dumb." According to those in the know, the "vulgar" joints were being wound up, and the high Broadway tariffs were things of the past.

Louise Dixie was quitting David Belasco's "The Harem" on Broadway. Star reported to have been in a huff because "Walt" in which she starred on the show, when told to films did not provide for her appearance in the pic. Violence O'Rourke was "The Harem's" replacement.

Richard Barthelmess and Mary Hay agreed on a divorce. Miss Hay was dancing at a New York saloon with Clifford Webb.

Elsie Janis looked for two weeks at the Theatre des Champs Elysees, Paris, getting \$4,500 weekly. At the time Miss Janis was appearing in "Foolish" at the Fulton, New York, but her illness was closing the show.

David Belasco signed the Duncan Sisters for a new play which he commissioned Jack Laff to write.

"The Poor Nut," written by Elliott and J. C. Nugent, was Broadway's latest legit hit. Howard Lindsay staged the Patterson Moffatt comedy, presented at the Henry Miller.

Saranac Lake

By Rapper Rowley

Saranac, N. Y., April 30.

Dick Willis, who packs a lot of talent and brains in not more and then to the Will Rogers gang via the good-chest route, to Boston and Tumbler, Mass., for a needed vacation.

Everything is flying at Camp Intermission, paint, mowing machine, rakes and what have you, perking up the Morris camp for the arrival of Mrs. William (Mother) Morris. Fun are also being famed in Lake Umbagog for the annual catch of Bull Moose White.

The Worcester, Mass., Gazette says: Forty years ago Harry Brewster, wearing a red coat and leading a "revolver" bloodhound in an "Uncle Tom's Cabin" parade, was yanked out of line by a forest officer and shot back to school.

Janet Milne, prize of the Actors Colony and former spend skating champion, celebrating the arrival of another champion—a seven-pound girl.

Mrs. Charlie Burdette, ex-SVA-ite, returned to the Colony after a two-month vacation at Grand Rapids, bringing back a new tax, weight and everything.

Ford Raymond, who tamed here for 11 years, is now progressing in Denver.

Camp LaBelle, on Cranston Bay, is being fired up and whitewashed, denoting the arrival soon of the Leonard (Lionel) Fishing! Grottoes.

Tommy Vicks, who made the grade up here, back to Boston, Mass., after four weeks of tanning in Miami.

Al Patton, who tramped with H. Henry, DeLuxe Brothers and Gorton's ministers, here for a general cleanup.

Henri O'Reilly fighting off a mob of genuine poisoning.

Jack Edwards, after four years up here and one who mastered the rib up, homeward-bound.

Dick Killion (and Moore), after years and years of that indomitable routine, was moved to the "up" department, with mild exercise now and then. He's talking over old times with his old pal, Ben Schaffer, who is on the same exercise floor.

Robert Emerson ogling his daughter, who is doing okay. Little Mrs. Fred Zellinger, who is visiting her hubby.

Dr. Siegfried Rosenfeld, ex-house-medicine of the Rogers, hung out his shingle in N. Y., catering to the profession.

Write to them who are ill.

DET. ORIOLE TERRACE BURNS PRE-OPENING

Detroit, April 30.

Being quietly prepped as a huge saloon which was going to match Hamtramck's Brewery in automotive show shows, the Oriole Terrace was pulled by fire early last week (22).

By mid-May a local combination had planned to launch the Terrace, recently a dancehall, but in the prohibition era Detroit's most widely-known saloon. The spot was nearing a finish on redecoration and ready to announce the new setup when the interior was destroyed by fire.

Pollie questioned Charles Roberts, owner of the building, and employees and decided the fire was accidental. It happened to be the third big fire in the same area, one only three doors away having some \$60,000 worth of damage to the New Centre Recreation Building.

4 A's - Fairs

(Continued from page 42)

by Equity for other New York Fair shows.

Some had previously sought to have Equity take jurisdiction over his Agency after he and Hoyt Haddock, AGVA executive-secretary, violently disagreed regarding terms. AGVA accused Rose of various abuses at last year's Fair and the showman replied with accusations that Haddock is a communist.

Haddock denied the charge. Rose asked the 4A's, the union's parent organization, to assign jurisdiction to Equity and said he would never deal with Haddock. Four A's declined to switch jurisdiction and the matter was settled in conference next day.

AGVA has reversed itself and will not at this time charge a licensing fee to individual agents who apply for franchise. This applies to agents in Chicago and on the Coast, many of whom have sought licenses and who are outside the ranks of the Artists' Representatives' Assn., Broadway performers' group. Expected there will ultimately be a national agents' organization.

Deadline for AGVA to reach an agreement with the vaudeville circuits and end the practice of charging a 5% booking fee expires today (Wednesday), after which those agents who also do booking will also be permitted under their code to charge 5% fee in addition to the regular 10% commission. Union had hoped to have a contract with the circuits, but apparently a deal is still far off. AGVA hopes that if and when it is able to persuade the circuits to eliminate the 5% fee, the agents will be willing to drop it again also. No meeting with the circuit heads has been held for several weeks, but efforts will be made to get together within the next few days.

AGVA Deals

(Continued from page 42)

the Brass Ball, Lawrence; Cappy's and The 4th Club, Boston; Boston's Boston; Shirley Club and Boston Club, Everett; Palm Garden, Peabody; and Somerset Club and Red Bull, Worcester.

First weekend in the current AGVA drive here came Thursday (24), when members followed a walkout of union bartenders, waitresses and musicians at Cappy's in Boston, Mass. Club signed with all unions Saturday afternoon (27).

AGVA-Tourists' Trip

Philadelphia, April 30.

A working agreement between the Philly local of the American Guild of Variety Artists and the American Federation of Musicians local has been consummated. Although there is no written contract, the two unions are working hand in glove in keeping local night spots in line regarding hiring union acts and musicians.

The AGVA local has notified bookers that hereafter no act can be cancelled after being signed. It's "play or pay" from now on. Only "acts of God" are sufficient reason for re-cancellation of a contract.

Greta Keller to Lamaze's

Lamaze's, Hollywood, goes into the latest salary policy May 15, when Greta Keller opens there with her show transplanted almost intact from the Hotel Algonquin, N. Y. Cy Walter, Gene Andie and Herbert Ferrell go west, lone exception being John Buckmaster, who remains east. Miss Keller ends at the Algonquin May 1.

Zeltner's 'Over the River' Vaude Unit, Or a B'klyn Columnist Lost in Jamaica

Jamaica, L. I., April 30.

"Over the River Reveal," with Eddie Zeltner, Gloria King, Joan & Bobby Secret, Nicholas Farley, Lewis & Rogers, Oscar Manners, at Jamaica Theatre, Jamaica, L. I., four days (25-27).

It's beginning to look as though a typhoon is a daily is more and more becoming a menace to hunt for gold in vaudeville theatres. Hayward Brown started the voyage in 1933 at the Palace, N. Y., giving his \$1,000 salary to charities. A year later Walter Winchell, who couldn't get to first base when in vaude as Winchell & Green, played the two-day house as a minstrel at \$2,500.

Then the rock started, with Mark Hellinger, Louis Sobel, Ed Sullivan, Jerome Kipper and even Ted Fricke (Mirrors), who is one of the few advertising editors with a by-line, getting bookings. Eddie Zeltner, sportswriter and Brooklyn columnist for the Mirror, is the latest approach to looking in front of an idea. His column, "Over the River," reviews the city's application.

The indomitable holdings of articles for theatre dates, despite their ability to get names and sometimes performers for gratis guest shots, is not leading for the vaudeville or the theatre. Talent is still looked for by the customers and that doesn't mean speedy one-finger typing. The columnist gets his kick from the theatre, but where's the payoff to the patrons?

Zeltner's inexperience on a stage, plus his inability as an m.c., is reflected in this unit by the other talent. Little of it looked any better than the original idea to book a Brooklyn columnist.

As comfortable and composed under a spotlight as a guy before a firing squad, Zeltner's first gaze and continued references to the Dodgers and individual ball players were his main shock. That, in this house for four days, Thursday to Sunday (25-27), was coupled to two lower-case films, shorts and vaudeville. Spot has been running vaude four days a week since early September, and is about a mile or so from the Brundage's, which also runs four days of vaude. Concurrently at the Carlton was Count Rogers' orchestra and Maxine Sullivan topping a vaudeville revue.

Zeltner's introing, too, contained no more of the usual "straight from Broadway" soundbites whispered by vaudeville m.c.s. that it was to be funny after a while. Gloria King, singer, was billed as "Joe DiMaggio's singing woman." She didn't do badly on the belted "Wind and Rain in Your Hair," but two rhythmic tunes here and she disappointed most of that impression. However, the musical backing for the acts here, a six-piece group composed of drums, piano, guitar, ten, trumpet and accordion, was of low-grade quality.

Ginger Manners came on behind the explanation that she had replaced Miss Green in the musical show "Three After Three"—which never opened. She was caught several months ago as part of an all-volunteer unit at the nearby Carlton. That consists of fair and poor mimicking of screen stars and poor take-off on Betty Hutton doing "Jungle Jive." Nicholas Farley's an Irish balladeer. Lewis and Rogers kicked up a few laughs with a series of

musical gags. They were billed as from the Rudy Valley hour. Joan and Bobby Secret are from a Brown Davis revue. They proved more than capable with two turns of union and challenge tags. Boy gets off some interesting acts routine.

The Smoothies, who recently moved out of Hal Kemp's organization, put in a one-night guest show opening night (Thursday) and, either to satisfy a lust for work or to make up for the preceding acts, they didn't seem anxious to leave. This ran off six or seven of their best tunes and checked handsomely, but in that writing even they didn't look good.

Sportswriter-writer Stan Lomas and Queens Borough President George U. Harvey were backstage, but couldn't wait for their turn to go on, according to Zeltner: Food.

BROADWAY TO RIO

(PARANQUINT, ANDERSON, IND.)

Anderson, Ind., April 30.

Andree Andree, Elmer Cline Tron, Don Galvin, George and Russell Dushan, Jones & Co. (2); "Henry in Paris" (Sept.).

Sam Roberts' unit, "Broadway to Rio," played this stand two days, Wednesday and Thursday (26-27). Response was fairish, but entertainment values somewhat pale.

Revue, using 25 people, is built around an attempted trans-American theme. A couple of Latin routines by the line (3) supply the motif. Otherwise, it's diagnosed vaudeville, with five acts interspersed with numbers by the band (3) and its leader, Don Galvin, who also m.c.s.

Following supper by the chorus, Galvin takes guitar in hand and enacts nearly 10 minutes of song and guitar. At least one number out of three promised could be stopped from the evening act without disastrous results.

George and Russell Dushan, acts pair, follow with landfalls, also unimpaired. Next is "Regular" by the line, followed by top-billed Andree Andree, vaudeville dancer, in a "Black and Tan Fantasy." In sleep contrast to preceding acts, this one has the virtue of brevity.

Jones and Co. follow with used tricks, paper tearing and signed moustaches. Cigars and pipes lend the variety to the show proceedings.

Then Galvin and arch return for a series of jay tunes. Next is Miss Andree for the spotlighted act of the unit, a "Dish of Love" strip scene. The conception is straight from burlesque, and gets a consequent reception.

Next-to-closing is the standard Elmer Cline act (2), with rest stuff, including air-guitar playing, embroidery around "Professor Chester," billed as the man with the xylophone head. Gets enough laughs. The presentation concludes with a Mexican line number. Business stables.

Walker Green, songwriter-band-leader, billed to arrange and compose exclusively for Irving Mills' new pub firm, American Academy of Music.

THE THEATRE OF THE STARS

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PARAMOUNT, N. Y.

Great Knepe O'ch (14) with Irene Dreyer, Howard Delaney, Carmo Brown, Al Berman, Margery Dreyer, 'Dark Brown' Blaine Agate, reviewed in VARIETY April 21.

Competent and entertaining stage layout accompanies the newest Jack Benny picture here, the combination of Garry Kopp, Carmo Brown, Al Berman and Margery Dreyer, along with the film, driving the house to one of its best opening days, Wednesday (24). The Pat picture is being displaced 1,000 admissions by 11 a.m. to a pre-opening line that extended from Broadway to Eighth Avenue and another half block toward 46th street, two hours.

Jack Benny worked the second and last shows opening day, doing a routine studded with laughs for a full 15 minutes at the bill's finale. He ran into comedy kids at his first showing, in mid-afternoon, staying on only a few minutes. Buchanan and Phil Harris, also in the pic, did similar personae at the work period.

Garry Kopp's orchestra, which was coupled to the last Benny show at the same house last year, has since improved immeasurably. Currently, it's a band to keep close tabs on as it's ripe for a sport into real jazz. O'ch is much more flexible than formerly. Its work alone and behind the rest of the talent here is strong. Biggest surprise lies in the manner in which it handles a ballet melody immediately following the few giddy arrangements of 'Tiger Rag.' Ballads rendered consistently had been lacking with this group.

Howard Delaney, recent vocal addition, handles one of the three numbers, leaving off a bit nervously when caught on 'Wind and Rain in Your Hair.' He straightened out, however, and pushed through to good reaction. 'Glad to Be Here' and 'How High the Moon' complete the trio, spotlight jumping from seats to rows for full-section breaks that are okay. Irene Dreyer has little trouble clicking handsily with 'Whispering' and 'This Bird Has a Thrum.' 'Man,' later an arrangement featuring Kopp's socka drum work that stands out sharply. Mrs. Dreyer's vocalizing is effortless and extremely appealing.

Trumeter Curly Cornelius is pulled out of the group for a solo during 'Chili Bird,' driving it home suitably. Number 10, one of Harry James' best arrangements, and Cornelius works along the same style. A fairly outstanding band number is 'Blue Rhythm Fantasy,' which employs the ten-tens on each musician's stand. Drumsticks and piano work by the men are treated with a symphonious point and with lights lowered, making for a three-minute effect. It's a more or less single number with whom two-tones sound, but falls short of real punch because it doesn't reach a high enough climactic pitch. Speed of Kopp's clicks, standing out in the dark, shows up clearly. They look like streaks of light.

Carmo Brown into himself stoned with dove numbers, though a minor throat ailment took the edge off his voice. Handicapped or not, the singer was able to 'Tumble Down,' a tune not very often vocalized. 'When You Wish Upon a Star' and the 'Wonderful World' show the good backing from the band and a few responses.

Al Berman's mimicking of a host of Beatles runs the gamut of excellent and poor. Margery Dreyer is a convincing work-alike singer who has the facility for making everything she does look easy. Kopp's solo following her manipulations gives a good rhythm backing. She's not related to the Kopp workman, Wood.

FLATBUSH, B'KLYN

Smart Allen O'ch with Lynn Richards, Beverly Roberts, James Barlow, Harry Mann, Eugene (R), reviewed in VARIETY April 21.

The Flatbush, with the current show, takes out of live entertainment until September. Plays 'Come With the Wind' next week and then tops into a policy of running whatever feature product it can get in its light competitive situation. During the latter half of the current season features were displaced with the stars being treated with new recruits and shorts and setup worked not satisfactorily.

Show is a worthy climax to anybody's year with a batch of top acts and the break-in of a new band that promises to become a strong contender for certain types of spots. Topping the bill is James Barlow, while close runners-up for audience approval are the Merry Men: Beverly Roberts, screen player, and the Hoffman (New Artist), a first-rate juggling team, also were to complete the lineup.

Smart Allen's crew (Band Reviews) is currently making its initial public appearance. Lynn Richards, a newcomer, chirps with the outfit. Barlow, whose years in vaude prior to his lengthy engagement as Jerry Lester in 'Tobacco Road' on Broadway make him virtually a

ROXY, N. Y.

Theatre of the Roxy, Jack Dorey, Joe Foster Girls, Phil Ash (R), reviewed in the current issue of VARIETY.

Stage show goes considerably different here this week, with major portion given over to condensed version of 'Theatre of the Roxy' (New Artist), which was presented recently at last evening's puppet entertainment at the Majestic, N. Y. Brief run there was sponsored by Cheryl Crawford.

Directed by Victoria Pedersen's Theatre of the Roxy, the puppet presentation is played on a miniature stage but about 50 feet back from the spotlight trough. While the movements of the little figures would be more clearly discernible were they nearer, the subdued lighting at even the present distance fails to cover the strings by which the marionettes are manipulated.

Various scenes range from the novel and comical to the serious. Offstage voices are carried, including singers with pretty good operatic equipment. Pianist sequence stands out, while the bit with the prince, played for laughs, is another that sticks.

The puppet show, using around a dozen hand-drawn, is built for ideal work in picture or vaudeville theatre, but would probably be difficult if not impossible to present as a stage attraction unless there was a lot of room available. Even then it would be a question because of the mechanics, lighting required, etc.

In addition to the Piccoli diversion, Farnham & Harris after Jack Dorey and the Joe Foster girls. In addition to being worked in for the Roxy of the puppet performance, the Foster line has an exceedingly rare number in which it plays team on top piano contrabass. 'Pretty Baby' is one of the songs carried, the girls for this one taking out the notes with their feet.

Dorey effects well, at least, with talk, dancing and acrobatics, also impressions of Gable, Herbert Marshall and others. His talk at the opening could stand strengthening, but further down it registers dominantly, topped by an energetic dance for the closing. This is a quick repeat for him at this house, having played here only a few weeks ago.

Business only fair opening day, Friday (24).

STANLEY, PITT

Pittsburgh, April 26.
Guy Lombardo O'ch (14), Vic Hyde, Betty Keane, Sara Ann McCann, 'Two Girls on Broadway' (M-G).

WB delaney can write a big story about this show. It's entertainment. Guy Lombardo's still playing music that attracts, and those followed, moved times have remained unimpaired all through the war era. Other sweet bands have been making certain concessions to the trend, raising their repertoire just a bit, but not Lombardo. He sticks to his knitting and the dividends speak for themselves. Opening crowd was a tale, and it looks like a well work.

Incidentally, this is Lombardo's first theatre date in 14 months, so once he had played at the Strand in New York during March, 1939, but arch doesn't show the long lay-off. Whole show is run off as smoothly as anything that's come along in some time and the 45 minutes go plenty quickly. Three added here to a really, too.

Betty red-and-black draped back-crowded shows off the Royal Canadian red coat and NW, the eye really as certain part on the Lombardo theme. Band's made up of two pianos, four drums, two trombones, two euphoniums, drums, guitar and French horn. Just the right balance to emphasize the staccato to melody, and swings right into the stylized stuff with 'Wind and Rain in Your Hair' and then 'I've Got My Eyes on You.' Letter indicates the Lombardo trio and crack two pieces, which, by the way, Lombardo could use better to advantage. Two boys at the keyboard are works. Carmen Lombardo gets his single solo at this point with 'Imagination' and Betty Keane follows him with her slick number. Cal does it all in an act and swept right into a show-stopper, being forced to beg off.

Band goes into 'Ting of India' and Lombardo's soprano Sara Ann McCann, a stunner, sings out for 'I'm a Jersey Kern melody of 'Look for Silver Lining.' 'Make Believe' 'Smile Gets in Eyes' and 'What.' New pipes and she's well-timed, but most effective when she's not using full voice. Had to come back and give you a rocking 'Swing' for an encore.

'Confession' Ray next with the baritone on ten, and then Vic Hyde, the one-man band. By now crowded, Hyde's a masterpiece here with his distinctive musical novelty and vocalized matter. He's added some new stuff that's also sticky. Tied this show up in knots. Couple

of his guys slightly off for him, and he doesn't need them.

Curtain has Lombardo, with vocal accompaniment, a collection of songs including 'With Open Eyes' and 'Dutch Mill' and sliding off on his theme again. Maxim, who continues to be a pleasant, self-effacing crowd, comes wisely, sticking to the bare announcements. Cokes.

KEITH'S BOSTON

Boston, April 25.
Nevah Sisters (1), Bob DePaul, Dorey, Moore & Martin, Harry Dreyer, Cappe Harris, Norman Esch, Larry First House O'ch, 'Tornado Rider' (M-G) and 'The Showdown' (Par).

This week the vaude policy here is revised from four to three days (Friday, Saturday, Sunday). Last-minute booking change took Al Berman out of the dance spot and set in Bob DePaul, juggler. Although DePaul clicks and gets extra work, he is one of three double acts working the front of the bill, as there's no gap until Harry Dreyer comes on for the next-in-line assignment.

DePaul shares featured billing with Dorey, and gets plenty of laughs through ball-tossing and club juggling. Showing five balls off the floor in a continuous perpetual motion pattern is sifty and some of the standard variations at three-club juggling get nice response. Best bit is his answer: keeping a dish, rapier and apple in the air, with the juggler taking better out of the apple until it's devoured.

Savvy leads 'em plenty of wit, blue gags and embellishes with humor long patter and double talk. Al Berman comes on for an assist and submits to a reading, etc. Encores and a ready response to the theater bit all through the routine.

Cappe Harris harmonica troupe opens with an introductory vocal about themselves that could be cut down to a few bars or eliminated entirely. Larry's Second Handstring Ragtime is well played and riles as a stellar showoff number for this type of act, but this, too, would improve with editing. Taking the band apart to explain how the several instruments perform individually and in groups is smart showmanship and thoroughly sustaining. Another good bit is a series of fast impressions, defining the tricky calculations which make these bands distinctive. Ray Kyan, Shop Fields and Glenn Miller are the encores.

'Tiger Rag' closes is everything one could hope for from seven harmonica augmented by the house stage band.

Nevah Sisters are curiously robust this week, offering standard acrobatics and balancing. DePaul, Moore and Martin offer Indian ballroom-dance in the tree which gets a few sprinkled laughs. Far.

HIPPO, BALTO

Baltimore, April 25.
Sammy Walsh, Vicke, Larry Best, Lane Bros (R), Mary Kaye & Naldi, Phil Lombardo, Mace O'ch (14), 'Princess Park'.

Better ordinary wrap here with lone exception of Mary Kaye and Naldi, ultra smart dance duo, who stand out in sharp contrast to the balance of the layout. With Phil Lombardo's house-orchestra, brought on stage for smooth and showmanly musical support, and Sammy Walsh, obviously from the album, handling the emcee stand, ball plays in rather easy, but unconvincing, fashion until closing contribution of the ballroom-dancers, who give things their only kick.

Triole, diminutive female juggler, opens with large balls, plates and hoops, works fairly well and mixes in some extra stuff to advantage. Smarter dressing and billing would help toward more effective selling.

Offstage impressions of Ed Wynn, F. D. R. and Ray Alwell provide minority for Larry Best, hard-working music scores with versions of Abbott and Costello, Billy Gilbert and her a cheeky grey out with 'Oh, Johnny,' as it would be rendered by Prince, Red Spoke, Lionel Barrymore and Henry Armetta. Followed by Lane Bros, emcee duo, who set quick-witted banter in hectic style and in fairly response.

Walsh takes hold here with singing, vocal of 'Old Man River,' some comedy impressions of Laughlin, Arthur and the inevitable Harry Richman, plus a baritone of an arch giving out with typical glam club stuff. Illinois housewife for latter bit, which earns some laughs, and closes with soft show routine which has its moments.

Mary Kaye and Naldi take hold next and sell in the ball crowd somewhat routine reminding of a waltz featuring a series of tricky lifts, a little pace broke and, for a rounded finish, a fancy interpretation of 'Sylvia,' revised through via house N.A. system. Encores with modern fox trot nicely supported by Lombardo and his arch.

For all right, Best.

STATE, N. Y.

Milton Berle, Clyde Hager, Harry Feeney (R), Lillian Carmo, Tip, Tip & Two, 'Warthog Pioneer' (M-G).

It's a one-man show this week with Milton Berle in action. Coupled with Milton's 'Warthog Pioneer,' Lillian Carmo offers diversion that pairs with anything along Broadway. Opening night saw the customers virtually hanging from the rafters.

Of course Berle had his gang with him, meaning the Priests. It seemed like the whole club was out front, which didn't do any harm. The turnout of children was counted at 200. Yet the whole house laughed at the antics and gags of the dynamic comic, his two-making being an escape from the headlines created in Europe. Before the bill went on, the film trailer for the Will Rogers memorial drive had 'em tearing into the collection buckets. Berle Davis' emcee appeal follows Judy Garland's 'I'll Forget You' and Kay Kyser's 'Playmate.'

Berle starts the giggle with a crack about George Jessel and his only reference to war was Army and Navy Dance. The summarizing, evenly mixed Harveys go through their crack routine, then stay awhile for Berle to gag about doing a full-blower. Audiences have deflected the light were part of the original turn, but it isn't needed.

Lillian Carmo closes with Berle and proves herself quite a comedienne, then goes to town with songs that were the vague sometime ago and are coming back in force. Certainly that is true as far as Mrs. Carmo goes, for she has a special way of rendition. 'Downtown Strutters Ball' has the customers clapping and that's also true of new version of 'I Know and You Know.' Her encore number is 'Dare That Dream' and she closes off to her return.

Berle, who went legit early this season in 'See My Lawyer,' has several gags about the show, best being that when he played to it he was 'lucked more than the Queen Mary.' There were also some jokes for the visiting Priests, with references to 'high players.'

High point of the bill comes with Clyde Hager, the pitcher, with Berle working as his stage mate, and getting all mixed up with stage mate. It is a level that was first done at the Friars Friars some weeks ago. Hager wears well, being among the few survivors of the vaudeville that was. That Berle stands for the snap bit proves that he is a real trouper, also that he can take it. His brand of comedy makes him unique, not only for the laughs provoked, but because it is infectious.

There is another thing about Berle: he didn't interest his fair for fun. And prove it by bringing on his mother, Sanders, now a part of the act. She tries to spring a gag or two and can't get 'em across. And he's afraid to tell her by that front handle.

Show-off turn is Tip, Tip and Two, whose fast and furious dancing seems synchronized. Colored trio slide into each other's routines and bring down the house. Then again Berle, with an extended parody that sticks in the same measure of his previous showing. Best.

OLYMPIA, MIAMI

Miami, April 25.
Johnny Burke, Lathrop Bros. & Virginia Lee, Ted Lane, Hal and Raye Crider, Taylor Trout, House O'ch, 'Virginia City' (WB).

Next quartet of turns, packaged under 'Star Spangled Banner' label, is a bargain. Bill is in phase with Olympia's post-season policy of tapping talent left for existing talent.

Only one to train in for this stand is Johnny Burke, who splits top billing with the Lathrop Bros. and Virginia Lee. A toupie in Khaki, Burke's routine sounding about 'Don't raise my bar to be a soldier' keeps the house howling. While come has been standard for years, material has been given a hype. That together with lunatics, makes not much sense. Encores bit of gagging with hand gets giggles, too.

Lathrop and Hal Lee are a true of club leaders whose sky appearance is right on a par with their dancing. As a combination, due and single, they were highly. Feature, in addition to her talented husband, has a Fisher frame, that's set off to advantage in a brace of sticky wrap-around.

Ted Lane, doubling at the Belmont, is a late-season sifty with her more definitive. Gal has customers bending their backs. When caught the biggest off.

Hal and Raye Crider's top-heavy mini-on would fare better if they didn't spend so much time giggling. Best trick of the lot, his skimping a rope while lying on his back, comes as an anti-climax.

Taylor Trout calls the turns sifty and sells a fair state of guffaw with his easy juggling. Solves to team harlequin with a pair of lionized chatter that only him is odd. Best routine. Lee.

Variety Bills

THIS WEEK (April 28)
NEXT WEEK (May 3)

Numbers in connection with bills below indicate opening day of show, whether full or split week

Law

NEW YORK CITY
State 12
Zoe C. Lewis
1000
Cotton
Harrison & Pines
Columbia Heights
Washington
Columbia 12

Law
Harrison & Pines
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Washington
Columbia 12

Paramount

NEW YORK CITY
Paramount 12
Columbia Heights
Washington
Columbia 12

Paramount
Columbia Heights
Washington
Columbia 12

OPENING MAY 2ND
STATE, NEW YORK
4 COMETS

Produced by
MARK J. LEDDY

RKO

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Columbia Heights
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RKO
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Warner

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DETROIT

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(Continued on page 31)

COMEBACK OF \$2 LEGIT

If showmanship appears to be lacking in the other branches of the show business, maybe it's being reborn in legit. The trend in this field appears to be aimed for a revival of the \$2 theatre, which may spell the hypo of the drama into its former state of key-city and road opulence.

Legit, once for the masses, was narrowed down to the classes when the Shuberts raised the Broadway ante to \$3, chiefly because of a 25c extracost angle. Other producers followed suit and the scales jumped as high as \$6.00 during the boom. Legit became too expensive for the average purse and its draw was limited.

The raise in boxoffice scales naturally brought higher prices all around, for talent, stagehands, musicians, production, etc., with the result that the road first, then key-city drama, fell easy prey to the sound and talking picture cycle. Top of \$3 then, even as now, was too high for the average stage production to compete with the 'holster palace' film theatres.

Producers who sent shows on the road geared to the potential orchestra floor gross found that the general public could afford only the balcony seats. Louvers piled up; theatres closed or wired for sound; the subway circuit around New York disappeared; legit virtually retired into a strictly (and curtailed) Broadway niche.

Now the pendulum seems to be swinging the other way, and, besides saving the drama and rebuilding the road, lower-priced legit may solve other problems. It will take a lot of cooperation, chiefly from Equity, which has shown anxiety over the unemployment in its ranks, and the other unions; but the benefits to everybody would be worthwhile.

Broadway at present has six shows playing at \$2 top and less. One of them, George Abbott's 'Too Many Girls' musical, opened as a hit at \$4.40 and is now selling for \$2.20 in a larger capacity house. 'Margin for Error' likewise was a hit at \$3.30 and is now scaled at \$1.65. Last week this show grossed \$9,100 in its first week with the reduced scale, bettering by \$2,000 the previous week's take at the higher top. Other shows playing at the pop scale are 'Reunion in New York,' 'Fins and Needles,' 'Medicine Show,' 'Morning Star,' 'Tobacco Road.'

Legit shows may not find as quick a dollar at the lower prices, but it would be a longer dollar. This would mean more and longer employment, and, more important, open up the audience channels that were lost many years ago. It would offer a fair show some opportunity for recouping its production cost and possibly some profit, instead of folding with complete loss because it was beyond the reach of the less discriminating.

It would make legit less dependent on Hollywood, but, even more important to the film capital, a developing ground for talent and material. It might also bring back to public consciousness the romantic aura of the entertainment world, which, except for the jitterbugs, is now taken for granted as another cut-and-dried chain-store proposition.

Equity's Stand Vs. TAC May Bring Internal Union Repercussions

Equity's stand against participation in concert with the Theatre Arts Committee for theatre relief may have repercussions within the actors' association. TAC suggested that Equity join with it in appealing for a Federal subsidized theatre. Idea was rejected by council twice, which also ordered members not to join the activities of TAC on the ground that it is a radical group and has affiliations with the Communist party.

Stated that there are 300 or more Equity members who belong to TAC and expressions have been offered in other circles that it is extremely doubtful that Equity has the right to issue such orders concerning the conduct of its members. Around Equity those known to have belonged to the Actors Forum, which was supposedly disbanded about two years ago, are referred to as 'leftists.' When half a dozen of the group were in the council they were credited with affecting a number of changes in policy, one the best being pay for rehearsals and limitation of rehearsal hours.

The matter will be brought in an issue when and if charges are preferred against members attending TAC meetings and joining in its moves. That may be followed with disciplinary action, which would doubtless result in open friction. Such a result is looked forward to with misgivings by Equityites who have striven for harmony and who are aware of weightier problems of

HOLM COMEDY TO OPEN ABBOTT'S 1940-41 SKED

First production in George Abbott's fall schedule will probably be 'And One for the Lady,' comedy by John Cecil Holm. Audition rehearsed with Abbott on 'Three Men on a Horse' and wrote 'Four Cents a Word,' which Cheryl Crawford dropped after several weeks of rehearsal. Holm is now writing 'Lady,' which deals with a film star and a lot of college boys. Understood the cast would include a number of juveniles, in the manner of 'Brother Rat.' Abbott will probably put it into rehearsal when he returns from Hollywood, where he will make a film version this summer of 'Too Many Girls' for RKO. Leah Salisbury staged the 'Lady' deal.

Abbott also has two other production possibilities for fall, both of which are musical. One is a musical version of Shakespeare's 'Much Ado About Nothing,' for which Abbott would adapt the book. Vernon Duke would write the score and John La Touche and Ted Fetter the lyrics. Other, still in the conversational stage, is a book show based on John O'Hara's 'Joy' stories in the New Yorker mag. Author would do the adaptation and Rodgers and Hart the score and lyrics.

'Much Ado' would be the second Shakespeare adaptation Abbott has used for a musical. Other was 'The Boys From Syracuse.'

Too Cheap for Hero?

Two actors were sent by contract for the part of George Washington in the N. Y. World's Fair 'American Jubilee.' Both are fairly well known on Broadway and both declined the engagement because the salary offered, \$75, was under their required bracket.

I wouldn't play Benedict Arnold for twice that amount,' played out as he walked out.

SUES SHUBERTS, GALLO FOR \$200,000

The Shuberts, Fortune Gallo and the American Guild of Musical Artists, also individual members of the latter organization, are named as co-defendants, in a suit filed by Amadeo Panzeri, who seeks damages of \$200,000. Panzeri, who conducted opera at the Boston Opera House, operated by the Shuberts, claims he was forcibly ejected from the house and alleges a conspiracy to drive him out of business.

It is an involved matter in which a legal action against Panzeri was filed by Gallo in Boston. Panzeri presented the New York Grand Opera company there, but it was a financial failure and it was reported that AGMA paid the transportation of the singers back to New York. Complaint, however, evened that the Guild induced some of the company to break their agreements with him.

Also named in the action are the Select Operating Corp., which is the Shubert incorporation, and the San Carlo Opera Co., of which Gallo has been the impresario for many years. Latter attraction plays a frequent engagement at the Center, N. Y., starting May 2.

ZIEGFELD CLUB BALL SRO AT N. Y. WALDORF

The Ziegfeld Club held its annual ball and show at the Starlight Road, Waldorf Astoria, New York, Saturday (27) and jammed 'em in. Spot has a capacity of around 700, but more than that many palms were present. Affair was considered a helpful event, particularly by the homosexuals. Club is composed of showgirls formerly in Ziegfeld revues, the affair attracting show business W.A.s both at the tables and for the show.

Club was started as a gag by Bernard Schick when he was publishing Metro's 'The Great Ziegfeld' several years ago. Girls took it seriously, however, and it has developed into an organization primarily functioning to aid those of their kind in distress. During the winter a number of cocktail parties were held in better known cafes.

Olson and Johnson capped all over the lot and after the show an extended hooping session began. Olson started something by removing his coat and all the men followed dancing in their shirt sleeves—first time at the Waldorf. George Jessel was master of ceremonies.

Raising 40G B.R. For Blitzstein's 'Answer'

About \$40,000 is being raised by a committee of playwrights, authors and Broadwayites to produce Marc Blitzstein's 'The Fire An Answer' in New York next September. Those on the committee are Lillian Hellman, Arthur Kober, Victor Sarnack, James Preller, Daniel Hammett, John Hammond, Lincoln Kerstein and Herman Shustlin. Shustlin will do the staging. Group will put up some of the coin, but most of it will come from outside sources.

Blitzstein will use the \$20,000 Guggenheim fellowship which he was recently awarded to complete a new play which he has started. It's tagged 'Blue-Devil Wonder' and will be in the musical-drama style of the author-composer's other works. He was last represented by 'Cradle Will Rock.'

Equity Would Try Experimental Drama, But Unions and Script Problems May Balk the Idea

'TIME' SALARY CLAIM HEARINGS DRAWN OUT

Arbitration of salary claims by the players in 'On Borrowed Time,' which was toured last fall by the Legitimate Theatre Corp., has developed into a lengthy proceeding. Two weary unions have already been combated and a third is due later this week. Attractions stopped prior to the Christmas holidays under an arrangement with Equity for remission, but when LTC sought to stay dark for seven weeks the management was advised to post a definite closing notice.

When 'Time' failed to re-light the scene complained. During the hearings half the cost submitted the closing notice had been regularly posted, the other half testifying the reverse. Some said they had sought and obtained other engagements, others declaring they waited around for the expected resumption. It was indicated that technically LTC was not liable, though morally responsible for two weeks' pay. Total amount of the claims is \$2,000.

Paul Gordon, Now A Refugee, Trying To Get Set in N. Y.

Paul Gordon, former Berlin legit producer, publisher and playwright, has opened a playbroker office in New York. He's a refugee.

Gordon, who's been in the U. S. about five months, was a top producer in Europe and is attempting to renew his producing activities in N. Y. He has two scripts on hand that he will present in English, one, 'Jah,' a dramatization from the late Joseph Roth's best-selling novel of several years ago, having been given a single performance recently at the Hochschule theatre, N. Y. The other is 'Adam's Children,' a straight play by Roth and Victor Klemm, also a refugee, for which Roth's plans are more extensive. Both plays were originally written in German.

Gordon formerly operated three theatres in Berlin and others in Prague, Paris, Vienna and Budapest. Since a number of his cast are classed as 'enemy aliens,' though they are German refugees, Gordon must fill those roles with American performers when 'Jah' plays Toronto and Montreal shortly. Gordon has plans for a Broadway presentation of 'Jah' and has been talking with the Shubert office with that idea in mind.

JOCK WHITNEY GROUP NOT IN ON 'MEDICINE'

Although Carly Wharton and Marvin Gabel, who produced 'Medicine Show' at the New Yorker, N. Y., have represented a syndicate including John Hay (Jock) Whitney for production investment, it is explained that he is not among the new drama's backers. The Wharton-Gabel combo quitted the Whitney syndicate in one of Broadway's smashes, 'Life With Father' (Empire), after looking over the field for about eight months. Same group was not asked to back 'Medicine,' an experimental production, another syndicate doing the financing.

Claimed, too, that while theatre parties have principally comprised audiences for 'Medicine,' such black tales do not call for a backlist, but that 10% is paid theatre party brokers, that being the regular commission. In addition to each deal, the producers have their own theatre party sales force, which is paid similarly.

Drama represents a production investment of \$25,000, unusual for an attraction which has a ticket scale of \$1.25 top.

Freeminger's 'Way Fred' Hollywood, April 26

'Land of Cotton,' by Howard J. Green and Lynn Sharrin; has been taken by Otto Preminger.

He plans to produce it in the fall on Broadway.

Equity leaders who have been adamant in the matter of experimental performances are seeing around in the viewpoint that the idea be thoroughly tried out and settled once and for all. Yet they are not confident that such showings will satisfactorily work to the benefit of members, nor that an equitable plan can be arranged with backstage unions.

One of the leading problems is to obtain the support of the stagehands and musicians. Principal feature of the experimental theatre is that it be cooperative and the contributions of the backstage and pitmen are said to be very important. Whether an exception can be made, or whether it would be necessary to amend the constitution, is not yet clear, but neither union has indicated willingness to join in the movement.

The Equity people say experimental performances can hardly materialize without such cooperation. Petitions circulated recently and presented to Equity, signed by hundreds of members, prove that the actors want such showings regardless of conditions required by stagehands. Since experimental performances may be aimed for Sundays in particular when there are no regular legit performances, there may be other wrinkles to iron out. Stagehands want double pay on the Sabbath, but, with the actors taking a chance on the strength, the stagehands would be expected to modify that requirement, since they imposed that condition because Equity did.

Those considering the movement say they cannot ignore out how it can be arranged, despite the urge of the actors. They want to know how a union such as Equity can have two sets of rules, one permitting members to perform on page 51.

Coast Dinner, Which Ended With Woolcott's Illness, May Be Revived

Coast company of 'The Man Who Came to Dinner,' which already closed in San Francisco early last week when its lead, Alexander Woolcott, had a heart attack, may be presented again in the far west, but with a difference cast. Matt Allen, representing the El Capitan theatre, Hollywood, was in New York last week to arrange that deal. He also looked over other shows with the idea of local production there next week.

'Dinner' stopped after one performance with unfortunately James Vincent, the stage manager, landing Woolcott's part. When Woolcott said that the better would rest for some time, Sam H. Harris, who produced 'Dinner,' ordered the closing. Show was to have concluded the Elton date this week. It started strongly, with grosses around \$25,000, but had dropped off more than \$10,000. Eight series in the Coast west were sent back to New York, others having been engaged out there.

El Capitan has been adhering to a policy of local production with a top of \$1.45. Within the last nine years it has put on 128 attractions. House is conducted for an estate, and is said to have maintained itself without capital from that source. Henry (Terry) Duffy was managing director up to three years ago. He is now connected with Darryl Zanuck, with no intention of returning to theatre activity.

Equity Calls Halt On 'It's a Girl' Rehearsals

Rehearsals of 'It's a Girl' closed for the Fulton, N. Y., were imperatively halted by Equity Monday (28), but it was stated by the management that the show would resume preparations. Money guaranteeing salaries for part of the cast was on deposit with Equity, but when additional people were engaged the added sum necessary was not posted.

Paul Berner, slated to present the piece with Richard Hill, told the death of a lunger caused the delay. Fulton is supposed to be under lease for one year to Berner and Hill.

Plays on Broadway

There Shall Be No Night

There is some action presented at the American Theatre, 145 W. 4th St., by the Playwrights' Co. and the Theatre Guild, which is directed by Robert M. Sherwood. Alfred Lord and Lynn Fontanne starred. Richard Widmark, George Brent, and Robert Walker, in support, played the parts of the main characters. The play is a historical drama, set in the 16th century, and is a story of love and war.

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Shows in Rehearsal

'American Jubilee'—World's Fair.
'Railroads on Parade'—World's Fair.
'Apocalypse'—World's Fair.
'Hudson River'—World's Fair.
'To What End Self'—Globe.
'Out from Under'—Brook.
'It's a Girl'—Paul Benay.
'Richard III'—Richard III.

CHARGE ILGWU'S TINS UNDERPAID PLAYERS

Charges that several new people used in 'Pins and Needles' Window, N. Y., were paid less than the scale are to be heard by Equity, although it is stated that those involved were tried out in the show. Because of the try-out they are said to have gotten \$18, instead of the minimum of \$25. If that is found to be correct, the attractions must pay the performers the difference and possibly be fined. Little review is presented by Labor Stage, an arm of the International Ladies Garment Workers Union, members of which comprise cast and chorus.

Louis Schaffner, executive director of Labor Stage, is named in the charges. At the time 'Pins' went on it was claimed that Equity did not prosecute the employers garment-workers-actors, but that was incorrect. Labor Stage protested the requirement that the players join Equity because they already were members of another American Federation of Labor affiliate. It was contended by Equity that if its people worked in the garment plants they would have to join ILGWU, after which Labor Stage ordered its players to join the union. Thereafter ILGWU withdrew from the A. F. of L. and was suspended after joining with CIO. It then also walked out on that parent union and is now unaffiliated.

College Play

SNAP YOUR FINGERS

Pittsburgh, April 28. The University of Pittsburgh and Carnegie Mellon University have announced that they will produce a play titled 'Snap Your Fingers' by the Pittsburgh Playwrights' Co. The play is a historical drama, set in the 16th century, and is a story of love and war. It is a story of a man who is a soldier and a man who is a woman. The play is a story of a man who is a soldier and a man who is a woman.

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Plays Out of Town

THE STRANGLER FIG

Baltimore, April 28. The play 'The Strangler Fig' is being produced by the Baltimore Playwrights' Co. The play is a historical drama, set in the 16th century, and is a story of love and war. It is a story of a man who is a soldier and a man who is a woman. The play is a story of a man who is a soldier and a man who is a woman.

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MILAN IN MAY

Hollywood, April 28. The play 'Milan in May' is being produced by the Hollywood Playwrights' Co. The play is a historical drama, set in the 16th century, and is a story of love and war. It is a story of a man who is a soldier and a man who is a woman. The play is a story of a man who is a soldier and a man who is a woman.

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Equity OK's One, Nixes Another Co-op Idea

Two applications for permission to play cooperatively were considered by Equity, one being conceded and the other denied. Equity will operate at the Irving Place theatre, N. Y., get the council's vote and when it was shown that all the players in the group have put money into the venture. It is the only deviation from Equity's stand against co-ops in some time.

Application for a venture in a summer theatre on Long Island was denied. That group is headed by Eira Stone. Equity conditions must apply, which means \$20 minimum pay.

Equity Would Try

Equity would try to play Sunday for nothing, which would be as if the boxoffice did not collect more than expenses, and the regular rules calling for pay for rehearsals, minimum salaries, minimum of two weeks, also the extra Sunday night.

Brought up, too, is the type of shows to be presented. It is contended that authors with scripts considered having a chance could not be expected to turn them over for experimental showings. Reasons are that such showings would not be expected to be polished performances, because of necessarily hasty preparations, direction, rehearsals and production.

However, committees for Equity and the Dramatists Guild finally got together on the problem, after an extended delay. Result of the first conference was that such preliminary work is necessary, but it was felt that in view of the demand by so many actors, a way would be found whereby the experimental plan could be developed to fruition.

One experimental venture is said to have been sketched, but no admission will be charged, no agency will be used and the performance will not be given on Sunday. Play is 'Come Into My House' by Henry Ephron, stage manager of 'Illusion' (44th Street). Part of the cast is appearing in current attractions, but it is an indication of actors wishing to act.

'FOXES' \$12,000 MILD IN CHI OPENER

Chicago, April 30.—With its top shows in town last week, the legit had a high gross potential again, but the season has slipped into a semi-slump and only the exceptional show is managing to reach big totals.

Latest entry was Tallulah Bankhead in "Little Fanny," replacing "Key Largo" in the Belways, but business piled by a wide margin to come up to expectations. Reviewers were uniformly satisfied with the show, and Herman Shumlin may have it here on a long-run basis.

Originally scheduled for a stay until May 8, "Shore of Paris" closed here Saturday (27). Will be aired to talk star for gridding at the New York World's Fair.

Best of the town on general news remains Philadelphia Story. Around the same gross, but for from capacity, is "Home and Juliet" with Victor Leigh and Laurence Olivier.

Estimates for Last Week
"Life With Father" (Blackstone) (10th week) (1,200; \$2,751). Open season beginning to sprinkle the house, but to appear about show has had eight straight weeks. Slipping somewhat; around \$23,000.

"Little Fanny" (Belways) (1st week) (1,000; \$2,751). Get away show; but scoring on working on strong basis. Took \$12,000 for first week.

"Man Who Came to Dinner" (Harrie) (10th week) (1,000; \$2,751). Long-run item of the legit continues to add along to profits at \$8,000.

"Philadelphia Story" (Briarcliff) (2d week) (1,000; \$3,351). Subscriptions and good sales holding this up to top business at near \$25,000.

"Home and Juliet" (Auditorium) (2d week) (1,000; \$2,351). Subscription added, but that \$2.50 tip is hurting. Matinee and cheap seats dynamic, however. First Monday-to-Saturday (27) getting boosted to \$20,000.

"Shore of Paris" (Grand Old and Small) (2d week) (1,000; \$2,351). Show closed here Saturday (27). Had good closing week as folding house, taking \$18,000 again.

ADDED
"Tropical Fishers" (Great Northern) (2d week) (1,000; \$1,351). Struggling and doesn't appear to go much longer. Took \$2,000.

PHILLY LEGIT BLACKOUT; BALLET RUSSE, \$15,474

Philadelphia, April 30.—Philly's legit situation is getting no better fast. Cohan's "Return of the Vagabond" announced first for two weeks starting yesterday (28), and then pushed back to May 13 with only one week talked, is now not entirely. That leaves the legit very much in the lurch, as the Theatre Guild's production of "Limbo" with Jane Crawford, is also out.

"Louisiana Purchase" is about all that's left, opening May 13 at the Forrest. Shubert musical, "Keep Off the Grass," and return of "The Philadelphia Story," are about only two remaining possibilities, although Gertrude Lawrence's "My Darling" is also mentioned.

Ballet Russe de Monte Carlo had an exceptionally successful four-performance engagement at the Academy of Music (25-27). Total gross was \$15,474. Ballet calls May 18 for South American tour, opening in Buenos Aires.

Saroyan's 'Song', N. G. \$4,800, Puzzles Balto

Baltimore, April 30.—Ford's closed its season here last week with Eddie Dowling's production of "Leve's Old Sweet Song," by William Saroyan, which puzzled critics and puzzle alike. Oper with Walter Huston in leading role drew mixture of raves and outright panning, winding up with patchy take estimated at \$4,800.

Some legit did on top via the indie backed Maryland, playing "The Stranger" by John Stephens Strang and Keith Meier, for Broadway trial currently. Also set for green is "It's a Girl," by Joseph L. Blackman, featuring Loni McConnel and William Krol, due May 11.

Bill Norton Ill

William (Bill) C. Norton, manager of the Music Box, N. Y., was in Polyclinic hospital last week with intestinal influenza. After several days at home he appeared at the Theatre Ministry (29), but was too weak to remain.

Doctor ordered him to Atlantic City to recuperate.

Mimi \$14,000 in St. Louis

St. Louis, April 30.—Latest legit season wound up Saturday (27) when Paul Muni in "Key Largo" booked a one-week stand at the American Theatre to approximately good \$14,000.

As a sort of farewell to a successful season, all local dealers dished out plenty of muffs upon via feature shorts and pic of Muni. House was made to \$3.50.

LUNTS, \$25,200, BIG IN WASH.

Washington, April 30.—Lunt and Fontaine in "There Shall Be No Night," new Robert E. Sherwood war play, booked National for approximately \$25,200 last week. Town's only legit spot was a sellout after second day, such action disappointing of few seats remaining from belly adhesion. This was held down by fact that show was last of Theatre Guild-American Theatre Society subscription season.

Current in George M. Cohan in "Return of the Vagabond." Next is new Irving Berlin musical, "Louisiana Purchase," due Monday (2), and may wind up season.

'BROADWAY-1940' WILL HAVE A NEW RACKET

"Broadway-1940" will be presented in New York by William A. Brady late this month. Pattern of the original melodrama is maintained, but its background is a different racket. Original "Broadway" was presented during the prohibition era and had bootlegging as its theme.

"Broadway" raised Joel Harza to affluence, doing the same for Philip Dunham, the original author, and George Abbott, who collaborated. Latter did not participate in the new version, but his name will appear in the authoring billing. Picture rights of the original brought a new high for modern plays, price being \$225,000. Talker rights remained with the authors and latter brought an additional sum, arrangement with the film end being the first entered into in which word was recognized as materializing.

Cohan Leaves Boston With \$12,000 for 2d

Boston, April 30.—"Keep Off the Grass," new Shubert musical with Jimmy Durante, Ray Bolger, like Cohan and Jane Frazee, opened here Monday (28) with promising reports preceding it. Big advance sale on this one, with top sheet all sold out for the two-week run before show opened. Opening night was sold out by Friday (24) and seats under \$2.50 are practically all gone for the two weeks.

George Cohan's "Return of the Vagabond" left for the road Sunday night (27) after two fairly good weeks. Wound up with approximately \$12,000 for the final frame.

Cornelia Otis Skinner Fair \$5,000 in Detroit

Detroit, April 30.—Cornelia Otis Skinner picked up fair to middling estimated \$5,000 in eight performances at the Cobo last week. Prices were asked down to \$16 with a \$1.00 top on matinee and \$2.50 for nights.

The season rolls along here, with "Margin for Error" having moved in Sunday (28) for a week. Again the matinee top is \$1.00 and \$2.50 the peak for evenings.

Depends On the Crit

Philadelphia, April 30.—Review, with its cast drawn from Plays and Players, local amateur group, will be presented here by the organization at the playhouse during the week of June 11. If it clicks amateur cast will be withdrawn and given substituted for a summer run in a theatre in or near Philly.

Show is tagged "Sell Your Papers." Score is by Clay Boland and Nick Reichner, who for several years wrote the University of Pennsylvania Mock and Wig shows. Kirk Merrick is doing libretto for "Papers."

Current Road Shows

(Week of April 29)

"Like Lincoln in Illinois" (Raymond Murney)—Fox Arlington, Santa Barbara (28); Ophelion, San Diego (28); Civic Auditorium, Pasadena (21); Highschool, Fresno (21); Alhambra, Sacramento (21); Curran, San Francisco (21).

"Keep Off the Grass" (Jimmy Durante, Ray Bolger)—Shubert, Boston.

"Key Largo" (Paul Muni)—Bathurst Auditorium, Des Moines (28); Municipal Auditorium, Kansas City (28-1); Arreda, Wichita (21).

"Life With Father" (Lillian Gish)—Blackstone, Chicago.

"Little Fanny" (Tallulah Bankhead)—Belways, Chicago.

"Louisiana Purchase" (Vera-Enrico, Victor Moore, William Gaxton)—Shubert, New Haven.

"Man Who Came to Dinner" (Harrie Mark)—Harrie, Chicago.

"Margin for Error"—Cox, Detroit. "Meet the People"—Playhouse, Hollywood.

"No Time for Comedy" (Katharine Cornell)—Little, Illinois (28); St. Majors, Montreal (28-4).

"Oscar Wilde"—El Capitan, Hollywood.

"Philadelphia Story" (Katharine Hepburn)—Draper, Chicago.

"Return of the Vagabond" (George M. Cohan)—National, Washington.

"Richard III" (Maxine Evans)—Davidson, Milwaukee (28-1); Municipal Auditorium, St. Paul (21); Lyceum, Minneapolis (24-1).

"Home and Juliet" (Laurence Olivier, Victor Leigh)—Auditorium, Chicago.

"Springtime for Henry" (Edward Everett Horton)—Hanna, Cleveland.

"The Wind and the Wolf" (Bessie Algon)—McCurley, Princeton (21).

"Tobacco Road" (John Barlow)—Mason, Greensburg, Pa. (28); Oriental, Rochester, Pa. (28); Columbia, Sharon, Pa. (21); Liberty, New Kensington, Pa. (21); Columbia, Allentown, O. (21); Ohio, Lima, O. (41).

Four A's Ball Financial Flop; Added \$2,000 To Its Equity, AFRA Delt

Associated Artists and Artists of America ball and show at the Waldorf Astoria, N. Y., Sunday (21) last week was a financial flop. Those in charge are still computing the various items of expense and income, but it is definite that less than 1,000 attended the affair. It had been figured that if 3,000 were on hand a material profit would have been made, but it is still declared that there was no loss in operation.

The loss is evidenced in "Broadway," coin which was borrowed from Equity and the American Federation of Radio Artists, each having advanced \$1,000. Repayment of the \$2,000 now is a problem and will probably be added to the loans made the Four A's by both affiliated unions last summer during the season with the stagehands. More than 1,000 expensive programs remain on hand and it is possible an attempt will be made to sell these to players as souvenirs.

Book which had sold at \$200 per page showed a profit, but another disappointment was the postponing of the original sketch of the cover design by James Montgomery Flagg. It was expected to bring \$700, but sold for \$75.

'Margin,' Okay \$6,800, Builds in Pittsburgh

Pittsburgh, April 30.—No. 1 company of "Margin for Error" had subscription help last week at Music and at \$2 top, lowest top ever set here (\$2.50 is usual) for an ATS play, managed to grab approximately \$6,800.

It was the best grossing addition of Broadway but has turned in yet. Got off to a slow start on account of Jewish Passover, but built modestly through the week on strength of good reviews and subsequent word-of-mouth.

Billing was believed to have hurt somewhat, with posters calling attention to a "play members of every creed and every race should see." Anti-Nazi posters have been posted here, and it was felt emphasis on the comedy angle would have been more profitable. Pitt City and town musical current at Music, with George M. Cohan's "Return of the Vagabond" running in Monday (2) under ATS company, are reminding out Nats' best and longest season to date.

'Higher' Climbs on B'way to Big \$28,700, 'Night' Looks In, 'Girls' 15 1/2 G and 'Margin' 9G at Pop Scale

Estimates for Last Week
Key: C (comedy), D (drama), R (romance), N (musical), F (farce), S (supernatural).

"Bullseye Was a Lady" (4th week) (12th week) (10-1,200; \$2,301). Casting system to be installed in anticipation of summer play; business still top the list; \$23,000.

"Grey Mary" (Hudson) (12-1,000). Presented by Irving H. Cooper; written by Terrance Ruggins; first called "Thunder," opens Friday (3).

"Hollywood Express" (National) (2d week) (10-1,200; \$2,301). Mild attendance so far; business rated around \$10,000; hardly even break at that level.

"Methusalem" (Winter Garden) (10th week) (10-1,200; \$2,301). Long staying tough reverse holding great pace; again profitable favorite with World's Fair crowds; \$27,000.

"Higher and Higher" (Shubert) (10th week) (10-1,200; \$2,301). Dells out nearly all performances and climbed closer to house capacity; quoted at \$25,500.

"Ladies in Retirement" (Hillyer) (10th week) (10-1,200; \$2,301). Among the newer good things; drawing nearly all house with hold; over \$15,000.

"Lady in Waiting" (Berk) (10th week) (10-1,200; \$2,301). Getting goodly takings; although not among leaders has improved with indicated summer changes; \$14,000 and more.

"Life With Father" (Empire) (10th week) (10-1,200; \$2,301). Nothing can stop this laugh provoker from playing into next season and looks a cinch to longer year's stay; \$18,000.

"Love's Old Sweet Song" (Plymouth) (10-1,200; \$2,301). Presented by Theatre Guild in association with Little Dwellings; written by William Saroyan; opens Thursday (2).

"Man Who Came to Dinner" (Music Box) (10th week) (10-1,200; \$2,301). Another laugh show also aimed for a year or more on Broadway; takings consistently better than \$10,000.

"Margin for Error" (Majestic) (10th week) (10-1,200; \$2,301). Moved here from Plymouth with scale lowered; first week at pop prices price topped \$1,000; sell-out Saturday in big house.

"Medicine Show" (New Yorker) (2d week) (10-1,200; \$2,301). Pop-priced drama shot in large theatre helped by theatre parties; around \$4,000 in closed.

"Morning Star" (Longacre) (2d week) (10-1,200; \$2,301). Lowered the price from \$2.50 this week; good follow-up given, but business mild; nearly \$5,000.

"My Dear Children" (Belasco) (12th week) (10-1,200; \$2,301). Not getting grossing anticipated, but turning goodly profit; takings again approximated \$12,000.

"Out from Under" (Belmont) (10-1,200; \$2,301). Presented by Brock Pemberton; written by John Walter Kelly; on trial performance; postponed until Saturday (4).

"Rhapsody in Blue" (Marble) (10th week) (10-1,200; \$2,301). Picked up again and credited with more than \$10,000 which betters even break; only out noise and radio plugs.

"Shirley" (Marion) (27th week) (10-1,200; \$2,301). While last weeks are all announced, fully current likely to play through May; approximated \$12,000.

"Suspect" (Playhouse) (10th week) (10-1,200; \$2,301). Week to week; business has not improved and chances are doubtful; \$12,000 or less.

"The Fifth Column" (Broadway) (10th week) (10-1,200; \$2,301). Business did not pick up in new spot as expected, but profitable attendance; around \$12,000; length of stay depends on when Broadway Time leaves; show due to reopen in Fall.

"The Hole School" (Cort) (10th week) (10-1,200; \$2,301). Among the laugh shows that has been fairly well, closed off lately with take around \$14,000.

"There Shall Be No Night" (Avin) (10-1,200; \$2,301). Presented by Playwrights and Theatre Guild, which has two debuts this week; written by Robert E. Sherwood; sensational out of town; hailed at premiere Monday.

"Tobacco Road" (Forsyth) (10th week) (10-1,200; \$2,301). Again opening that Fair crowds will attend long-played, which has been under \$1,000; even break or slight loss at that figure.

"The Many Faces" (Broadway) (10th week) (10-1,200; \$2,301). One of several attractions which recently lowered the admission scale; also spotted in large house; got \$25,000; claimed satisfactory for musical that topped list earlier.

"Two for the Show" (Booth) (10th week) (10-1,200; \$2,301). Again improved and should stay into summer; remarkably close patronage; quoted at \$18,000.

"When We Are Married" (Lyceum) (10th week) (10-1,200; \$2,301). Last week announced and man (top 10) Saturday, "The Stranger" (10-1,200; \$2,301) is tied to follow.

ADDED
"Lions" (4th Street) (10th week)

"CD-1,000; \$2,301. Stated to stay through this month and may enter summer period; revival making some money; around \$12,000.

"Dinner in New York" (Little) (10th week) (10-1,200; \$2,301). More due to start prior to summer hotel bookings being arranged for refugee revival; around \$4,000.

"Flare and Nocturne" (Winter) (10th week) (10-1,200; \$2,301). Expected to stay into summer; dipped under \$5,000, but said to turn some profit at pace.

'WILDE', \$3,500, DISMAL IN L. A.

Los Angeles, April 30.

Following two very disastrous weeks with Raymond Murney in "Like Lincoln in Illinois," Billmeyer goes dark until May 8, when it reopens with a 10-day run of Maurice Evans in "Richard III." Oscar Wilde is played in almost negligible bit at El Capitan. Oper is in on a rental and leaves at close of present week. "Meet the People" continues to draw customers to Hollywood Playhouse.

Estimates for Last Week

"Like Lincoln in Illinois" (Billmeyer) (1,000; \$2,751) (2nd-final week). Despite personal popularity of Raymond Murney in the film colony, there just wasn't enough interest in his portrayal of the Great Emancipator. Final takes hit little over \$4,000 again.

"Meet the People" (Playhouse, Hollywood) (1,120; \$1,421) (17th week). Holding to next \$7,000, due largely to weekend articles and heavy matinee box office weekly.

"Oscar Wilde" (El Capitan, Hollywood) (1,300; \$1,001) (1st week). Despite excellent reviews, public thought shy of this all-time cost. First week, no straight rental for the house, failed to show more than \$3,500.

'Dinner' Closing Helps 'Scandals' to 20G in S. F.

San Francisco, April 30.

Faced with no competition as a result of Alexander Woolcott's illness, bringing a halt to "The Man Who Came to Dinner," George White's "Scandals" climbed to estimated \$20,000 in its second and final week.

"Like Lincoln in Illinois" moved in after "Scandals" at the Curran, Monday (29).



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Literati

The Guild Strike 'Compromised'

Sentiment of the 17-month-old strike of the Chicago Newspaper Guild against the Hearst Herald-American on Friday (28) is hailed by the American Newspaper Guild as a victory. Impartial observers, however, see it as a compromise, with both sides the losers. The longest and costliest strike in ANG history cost Hearst a newspaper, and the Guild \$2 jobs.

Those \$2 jobs, on which the ANG had been placid, prevented an earlier settlement. But the Guild was very anxious to get the strike over with before its annual convention in June, and it gave in. By the terms of the settlement, 113 of the strikers returned to work on Monday. The remaining 22 are to receive settlement pay totaling \$24,000.

The strike was originally called against the Evening American and the Herald and Examiner. During the course of the war, the two papers were merged into the Herald-American. It was for that reason that the Hearst management refused to reinstate the entire group of strikers.

The ANG did gain an important point, however, in offering among the reinstatement the nine white discharge led to the strike call on Dec. 5, 1938.

The NLRB will hold an election within the next six months to determine whether the Guild or the Newspaper Commercial Association, AFL affiliate, shall be the exclusive bargaining agent for the employees. The latter had been formed during the strike, and was accused by the Guild of being a company union.

PM Start Delayed

Starting date of New York's new tab paper, PM, has again been juggled, and it's over due to get under way June 18. Coincided with the decision to press the projected daily more than two weeks after the date originally set for its debut. Full details of the enterprise have been leaked—details which will make PM a distinctly new addition to American journalism.

PM, which is to sell for a nickel a copy, is to appear from around 10 in the morning until late in the evening. The paper will be 32 pages each day, no more and no less. Page size will be slightly smaller than the regular tab, and square.

It will be edited 'as if no other newspaper were published.' That is, each issue will cover the news between that issue and the last issue of the day before. It will not presume that its readers peruse any other paper.

The paper will be departmentalized into five classifications—New York news, news of the nation, foreign news, sports and financial.

A department called 'News for Living' is particularly notable since it will contain a digest of news now found in paid advertising in other papers, news on prices and values in food, news of what's for sale in the stores of New York not covered in paid advertisements in any papers, and news bearing on other problems of living.

Significant is the expansion of the daily's basic principle, that it would have enough appeal to enough readers so that it would be supported for itself alone and would not have to rely on advertising income. It will carry no paid advertising whatever. Editorial offices are in Brooklyn. In part of the Munsey printing plant, where the paper's composition will be done. The press work will be on the premises of the Brooklyn Eagle. A secondary office will be maintained in Times Square, but this has not been acquired as yet.

With the staff virtually complete, new tab is preparing, a domestic paper being gotten out daily.

Tom Meyer has been named sports writer. He has been a sports writer on the N. Y. World Telegram, specializing in baseball. Joe Cummings is also in the PM sports department.

No ANG Wage Deal Hinted

A hint to the American Newspaper Guild that its members can expect no further wage bonus this year was given at the closing session of the American Newspaper Publishers Assn. convention on Thursday at the Waldorf-Astoria, New York. The organization issued its adjournment resolution after John S. McCarens, v.p. and general manager of the Cleveland Plain Dealer, at press.

The unofficial union to the ANG was contained in a report by the ANPA special standing committee which said, in part, that 'wage costs on ANPA member papers continued

to rise during 1939 out of proportion to the increase in circulation, which could be justified by increase in living or other business factors. There is no justification, in the history of newspaper wage relations or in current business factors, for further increases at this time.'

It's not likely that the ANG will take up the wage challenge of the ANPA members at this time because the Guild currently is focusing all efforts on wire service pay and wage bonus. Almost certain, however, that the ANG will have something to say about the committee report at its convention in June.

Believe it or not, taken up at the convention was fairly routine. The convention was attended by around 600 publishers, editors and business managers of U. S. and Canadian papers.

Tully's Book on Girl Heroes

Jim Tully trained for the Coast last week after a brief visit to New York, taking with him a contract from Lippincott's to write a new book. Subject matter will be heroes in skirts, tentative title being 'Good Girl'.

Author's autobiography, 'Outside Looking In,' was turned into a play about triumph. It opened in Greenwich Village and was moved to Broadway. Play, which went on in 1935, was rated a moderate success.

Reviews in Publicity Guild

Ralph Frye, for 28 years a reporter and editor on New York newspapers, has formed a publicity and ghost-writing organization composed chiefly of newspapermen under the name of Ralph Frye & Associates.

Frye was a reporter and city editor of the defunct N. Y. American for 14 years, also operating that daily's annual Christmas Fund. Through publications and Sunday night benefits, Frye raised around \$1,000,000 for the fund in 18 years. He later was night editor of Press Radio News for two years.

Fawcett's Underwriting

Fawcett Publications, which recently entered the comic book field following the lead of so many other publishing houses, will now underwrite the field with a comic book to sell for a nickel. It's to be called 'Mick Comic,' and if finding favor, it is to be followed by another to bear the name of Five-Cent Comic.

There are around 11 comic magazines on the stands now, with every one of them selling for a dime. Should the Fawcett five-cents register strongly, it may lead to price-cutting in general, since many of the publishers in that category are reputedly not selling well.

Hearst's 75th Birthday

William Randolph Hearst celebrated his 75th birthday last Saturday (27), although the anniversary of his natal day was Monday (28). Party held at his ranch at San Simeon, Cal., was staged two days ahead so that guests could be back at their offices by Monday.

Staff people and others invited planned to the Coast for the occasion, going from New York, Boston, Chicago and other points.

'Old Son Man'

Next month, Cornet uses an article on Sam Clarke, great city editor, as 'Old Son Man,' by John Wiltach. Writer, when 18, was a cub on the N. Y. News with Edgar C. Hill and Frank Ward O'Malley.

Clarke started off the younger fry, who only afterward learned to appreciate his genius. He could read a sheet the instant the rub tried to get away from the desk and spot a mistake or a lie.

Lobby's Carbine Switch

Lobby, Chicago Times staff cartoonist of 'Gris and Bone R.' is being handled now by the Chicago Times syndicate. Daily comic panel and Sunday color page of cartoons, formerly distributed by United Features, is scheduled to hit more than 100 papers upon release by Times syndicate beginning June 2.

Chicago Daily Times Syndicate, started early this year, is headed by Russ Stewart, who doubles as production manager for the tabloid.

Curtis' Birth Betel Expanding

Curtis Publishing Co., which has hitherto distributed its own magazine exclusively, is opening up its distribution facilities to other periodicals. The organization begins the distribution of Enquire and Current with the July issue, and is negotiating for a number of other

public, including one of the leading picture magazines.

Not all magazines will be taken for distribution by the Curtis organization, it's declared. There will be but a selected number, and no fee in the same field. Extension of the Curtis distributing organization will not affect its setup in any great extent. It will merely mean the addition of a few field men.

LITERATI OBITUARIES

Bruce Leving, in private life Randolph Black, 68, who columned for many years for the Hearst papers, died Monday (28) in Tucson, Ariz. He had been forced to give up writing a few months ago because of illness. Black began his newspaper career in 1881 as a reporter on the old N. Y. Sun, later serving on the old N. Y. Recorder and the World. He joined the Hearst papers in 1890, and was editor of the comic supplement for 25 years.

Black & Barry, 45, pres. of Macmillan Co. of Canada for almost 20 years, died Monday (28) in Toronto.

George Marjory Parns, 74, former telegraph editor of the Cincinnati Times-Star, died April 22 in that city. He served several terms as pres. of the Associated Press Editors of Ohio.

William Henry Tuckley, 38, music critic and financial editor of the Syracuse (N.Y.) Post-Standard, died April 22 in that city.

G. Howard Watt, 41, who published books under his own name, died April 24 in New York. He headed G. Howard Watt & Co. N. Y., for 15 years.

CHATTER

Edna Knight Gault started new post of the League of American Pen Women.

Willard Robertson sold 'The Touch of a Gentleman,' short story, to American Mag.

Clarence Winters succeeded Arthur Dunning as Sunday editor of Los Angeles Examiner.

After doing all these short stories for The New Yorker and the Saturday Evening Post, Henry Ashton Steig has finally written his first novel.

Howard Wolf is on leave from his post as associate editor of the Cleveland News to do a book on the story of the newspaper wire services.

Joseph Noel, former newspaperman, has written a book about Jack London, George Sterling and Ambrose Bierce, all of whom he knew.

Cincinnati Times-Star celebrated its 100th anniversary April 25 by publishing a 218-page issue, weighing five pounds. It was the largest newspaper ever printed in Ohio.

Lewis Jacobs, who authored 'The Rise of the American Film,' interviewing film directors on the Coast for a text book on picture production.

Jack Malloy, heard g. m. in Ctl. out of the hospital in New York, where he had been for some three weeks under Dr. Joe Montague's supervision.

Minor Roberts, St. Louis attorney, appointed secretary-treasurer of the St. Louis Newspaper Publishers' Association, succeeding the late Frank D. McDonald.

Lillian Mewer, feature writer for Ctl. Daily News, asked for Paris where she'll join her husband, Edgar Ansel Mewer, foreign correspondent for the same sheet.

Albert G. Lincoln, business manager of the St. Louis Post-Dispatch (Pulitzer Publishing Co.), has been elected second v.p. in recognition of 44 years' service with the paper.

Jack Goodfellow, one of the Bloom & Schuster editors, and Agnes Ramsey, have sold the Australian magazine rights to their Ladies Home Journal story, 'Pretty Penny,' and the film rights to Mirco, through Willis Kingsley Wing.

Clifford Fadiman added to the staff of judges for the forthcoming Harper prize novel contest.

Earl Wilson, the N. Y. Post humorist, whose series on John Ringling the clown man, has been set by Competition, has just another piece in the Saturday through Willis Kingsley Wing.

Louis Brandfield has returned to his Ohio farm to oversee the construction of a new manor.

Fred Ernst is from New Hope, Pa., after making his first sale to the Saturday, 'The Doctor, Tapes Doctor.'

Mrs. B. J. Ross, Jr., elected the new pres. of the National Federation of Press Women.

Carl Randow, pres. of the New York Newspaper Guild, and who recently transferred from the World-Telegram to PM, plans to marry Leone Zagomik, the novelist, this week.

Ray McQuinn has sold an article to the Saturday on the machine tool industry.

Inside Stuff—Legit

Humorous ad of George Abbott in the Treasury Club benefit show program had the names of the intensive men of four theaters in which the producer's attractions were spotted this season, titles of some shows being named in lower case but no quotes. Manager's blunder and gratitude went to Aaron Halwitz and Jerry Connell, of the Imperial, where his 'Too Many Girls' played, also to Richard Mason and Julius Stone, of the Adelphi, where 'The Big Lawyer' recently closed after a fairly good stay.

Condolence went to Lewis Harris and Arthur Wright of the Biltmore, who were 'vanguared' by 'The Unvanquished,' which carried one week, but two other Biltmore, namely 'The Woman Brown' and 'Goodbye in the Night,' also there, were not included. Also included were Frank Prayer and Charles Bowman, of the Miller, where Abbott's 'King of the World' also had a very brief stay. Latter house now has the successful 'Ladies in Retirement,' while 'Down From Under' opens at the Biltmore Saturday (4).

As a result of 'Margin for Error's' 22 top at Biltmore theatre in Pittsburgh recently, ATS subscribers received refunds stated from 50c. down to be applied to their 1940-41 renewals. Top for all series shows has always been \$2.50, with regular new holders getting a 50c. cut, and 'Error' is first show to play under subscription savings below that mark. Since immediate refund, because of bookkeeping difficulties, is impossible, ATS headquarters in New York has notified Pittsburgh customers that the deduction will be applied against their next year price. Couple of weeks before, subscribers got a break, saving up to \$1 a ticket, when Katherine Hepburn's 'Philadelphia Story' was added at \$2 top. Fears that refunds for two shows on Pittsburgh season would have to be made were dissipated at last minute when 'Margin for Error' and George M. Cohan's 'Return of Yagobud' (May 5) were booked in to round out series.

Wyatt Gibbs, dramatic critic for the New Yorker, wrote a review in verse on the Maurice Brown production of 'Richard III' at the St. James, N. Y., in last week's issue of the mag. Paraphrasing actual portions of the Shakespeare text, it was in the form of a dialogue, the two characters being the critic and his Conscience. Former was the argument, as they both walked out on the performance and retired to a nearby bar. Piece concluded with a pun about 'St. James Indiscreet Show.'

Was the first time Gibbs has written his review as a burlesque of the play concerned, but he has written several take-offs of notable Broadway plays during the current season. Pieces burlesquing 'Time of Your Life,' 'Key Largo' and 'No Time for Comedy' drew particular attention.

Auditions and private performances for emcee players will again be held this spring by Antonette Perry, chairman of the committee named for that purpose by the American Theatre Council. It is one of the few activities in evidence that was started by the organization. Last season there were 8,000 applicants and 1,000 were auditioned. Around 1,500 recently expressed the desire for continuance of the idea.

Principal benefit to the young players is that they can be seen in performance by managers and agents. Understand that some of last season's product secured small stage parts. Miss Perry intends to continue the auditions annually.

Coast Legit Spot At Last Bows to Sound

San Diego, April 28. 'Abe Lincoln in Illinois,' salvaged from among 15 cancellations caused by the sale of Navy Theatre, opens one-act stand at Orpheum. Famous West Coast crossover house, tonight (Thursday). It's the first stage attraction in the Orpheum in years. F.W.C. has no part in deal, leasing house to Clifford Ellison, former Navy manager.

Servy is now undergoing extensive remodeling and will be operated by Bryan Fay as a vaudeville. House had never been wired for sound until this week, artists signaling film's final triumph over sunlighters here.

Ellison will use highest-level audition, hereafter, scheduling Gertrude Lawrence's 'Sylvia' for July, to be followed by 'Little Women,' 'Philadelphia Story' and Roland Hayes, colored concert singer.

Play Abroad

LADIES INTO ACTION

London, April 15.

Plans to take into action account by two women, each recently spotted by David Frank, at Lyric Theatre, London.

Miss Rose Fawcett, actress, and Miss Fawcett, actress, are the two women who are the subject of the play. Miss Fawcett is the actress who played the role of the woman who was the subject of the play. Miss Fawcett is the actress who played the role of the woman who was the subject of the play.

A prominent film producer attended the premiere of 'Ladies Into Action' to see up Lili Palmer with a view to engaging her for a film. At the conclusion of the first half he was disappointed, as the end was terrible he wouldn't book her. This is unfortunate because Miss Palmer is a wonderful talent. The show had been running for 20 weeks, during which time Dorothy Dickson played 18 of them, and Miss Palmer only took over the role a fortnight before the London production. But even if she had had more time to get ready, she couldn't have done much with so limited a part.

Another fine artist, Isabel Jeans, in a vain effort to instill life into a natural dialing, characterized the role in a mannered style that was most irritating. Even the author-star, Ivor Novello, who always aims at naturalism in stage presence, could do little with the material which he himself had supplied. The fourth of

SECOND B'WAY LEGIT STICKUP NETS \$230

For the second time within 11 days a legit benefit off Broadway was the scene of a stickup, second robbery occurring at the Playhouse, where 'Suspect' is playing, Thursday (27), when Marie Dickson handed over \$230 at the point of a weapon. Previous to that the St. James was held up, third getting slightly more.

Believed that the same man pulled both jobs. Ticket sellers in both houses gave descriptions which failed. In both instances a sword-cut shotgun was thrust through the metal grille and all the coin in the till demanded, the man threatening to 'blow your brains out.' The Playhouse stickup came late in the afternoon, that of the St. James having been staged on a Sunday.

Road Rights to 'Margin Error' Subject of Suit

Stanley Osgood filed suit Friday (28) in N. Y. supreme court seeking \$75,000 damages against Myald Productions, Inc., Richard Myers, Richard Abshire and Clara Buehler for allegedly backing out on an agreement. Osgood claims that on Dec. 15, 1938, he and Myald, through Adrich, signed an agreement giving him an exclusive option to the tour and road rights in 'Margin for Error.' The consideration was that Osgood was to assume all obligations owed to the author, Miss Buehler, and pay the defendants 5% of the net gross. He claims to have paid \$500 to see the bargain.

The defendants are accused of having breached the agreement by refusing to grant the plaintiff the right to produce the show, turning it over to another impresario.

The quartet of principals, Marie Walker, stride about most of the time with his head bowed, as if to were ashamed to offer the headline, allotted to him. The non-essential roles were all in good hands.

Story is silly to describe. All the author seems to have aimed at was wit and sophistication, but as Joe Laurie says, 'he must have served his junior year.' Every line a speech should lead up to a dramatic tension, it breaks with a 'comic' observation, as that the piece, instead of being a farce, tumbles over to the category of farce. It is lighter with indicated heaviness, Japs.

Broadway

Quentin Reynolds off to look over the war for Outfit's.

Fred and Ella Browne celebrating 45th year with circus.

Donald Woods postponed departure for Coast until next week.

Mona Marie, film player, back after South American visit.

Bob Williams' son, Pat, is on the road after a tussle with his.

Alfred Harding of Equity staff reported recovering from pneumonia.

Frank Sullivan wins a smoochache. It's the 'Life With Father' influence.

Tea's new wife on west 31st street defeated last night (Tuesday).

Charlie Burton, in Miami on business for Paramount, returned to the h.

Ben Kaitanov may head for the far west shortly on WB sales matters.

Stanley Griffe seldom seen during the business day without his briefcase.

James Thurber in town from Bermuda, but leaving again in a few days.

Oliver Wakefield propped in for a Madison Room return later in the year.

Following a nasal operation, Larry Park is recuperating at his Bayville home.

Bert Fugate, business agent for Louis L'Amour, has shed those spurs lately.

Ed Schuster, Warner's eastern district manager, had five teeth pulled.

Virginia Paine and Charles Robin trading a bathroom set for the class act.

Lee Carlson required three stitches in forehead when he crashed up last week.

Dr. Nathan Hilt, m.d., in Hollywood crowd, is seen for a couple weeks to see shows, etc.

The Arnold Ronfield, h.v. co-builder of the Versailles, celebrated their 25th anniversary.

William Guthrie, NBC publicity chief in New York, back from vacation trout fishing in New Jersey.

John Fiedel and Mary Singer, who are quoted in Minneapolis, have gone back after building with Fox event.

Giuseppe De Luca, Met baritone, suing for native Italy; sister Elvira Fossati, Met conductor, with wife.

Louis Hyman, exec assistant to Bill Lerner, in New York to consult with UA on plans for 'Our Town' return.

Sandra Gould, legit and radio actress, designing costume jewelry for Lee Glass. Will have first show in June.

Phil Dunning gave wife, Frances, a medal on the occasion of their 21st anniversary last week, just for sticking.

John Anderson, Journal-American editor, back at work after recuperating at his Trumbull (Conn.) home from flu.

First novel by Paula Gould, former publicity chief for RKO, based on the picture business, 'Fidelity Girl', out today.

Gordon S. White planning to move from Jersey to the Bronx in order to be closer to Paul Terry film studios.

Kenneth McKenna, story editor of Metro, leaves tomorrow (Thursday) after two-week vacation at his home in Cape Cod.

Herbert Mitchell (Epstein's), theatrical phony, in voluntary lunatic asylum, losing \$42,700 in stock, assets, indistinguishable.

Bright Eyes' Bob Capers, drummer of the Plymouth, leaves Thursday for annual summer dance at Harlem's Club Caveatland Saturday 145.

Donald Woods canceled a planned trip to Bermuda and left for Hollywood by plane Saturday (27), summoned work by his agent.

Andrew Stone, Paramount producer-director, and Billy Mowbray, his assistant, looking over the Met at possible setting for his operatic film.

Fanny Haysi trekked to Elin Island last week for the Metro preview of its picture two-reeler, 'The Flag Speaks', with the idea of getting some ideas for a novel.

Klausen Mendelsohn, refugee actress now in New York, is a granddaughter of Mendelsohn, the composer. She was star of the Berlin State Theatre.

Curtain of 'Hollywood Express', National, was held 15 minutes Tuesday (26) evening to allow for Harry Carey's appearance in 'Information Please' broadcast.

Mrs. M. L. Boyer, Bostoned, mother of Charles Boyer, arrived in New York this week (26). She was met at the pier by her son and his wife, Pat O'Brien.

At Allman, Metro's eastern talent executive, explained operations of talent offices on both coasts in a talk before the NBC Artists' Management group last week.

Lawrence Tibbett in his Wilton (Conn.) home recuperating from severe cold that necessitated canceling a number of opera and concert dates, resuming this week.

Neel Houston, Oklahoma newspaperman who wrote his post-war play for the Provincetown Street Drama Theatre, returns home in a few days to complete his first full-length play.

At Margulies, UA publicity chief

in Chicago last week to uphold company's end of press in connection with appearance of Laurence Olivier and Vivien Leigh in 'Romeo and Juliet'.

New that Milton Berle's mother is part of his act as Leon's State she wears her makeup on and offstage like any pro vauder, in between shows and while hanging around the stage door.

Mary Morrison, secretary to Jack Whittier, suffered a nervous breakdown, April 28, when sent her to the hospital for a week. Recovered sufficiently to return this week. Doctors blamed overwork.

H. N. Swanson, Coast agent, arrived Sunday (26) for consult with Harold Ober, whom he represents, and other film, studio Stewart, also a Hollywood executive, left New York Friday (26) after couple weeks' visit.

Regional Deming, English dramatist, rubbed off his cheek book, birth certificate and address book in his N. Y. hotel last weekend during his short stay. Thieves left him his passport, which was with the other articles.

John Joseph, Universal publicity head, who came to from the Coast three weeks ago and was set to return last week, has revised plans at request of Mabel Blumberg and will stay in New York until after the company's convention.

Pittsburgh

By Hal Cohen

Bill Lewis, Sun-Tide drama ed, has looked pneumonia.

Ron De Fazio, Metro manager, lost his driver's license last week.

Barbara Perry signed by Shubert for their summer opera season in Louisville.

Jean Davis and her husband, Dr. Williams, in town for a couple of days last week.

Dee Gregory signed by Michael Todd to write libretto for 'The Drunkard'.

The new Leffler House bar has been named Thomas Austin House. He's the first.

Floyd Bender, Milwauke actor, back on the job again after a southern honeymoon.

Jackie Heller goes into Ohio Ville, Cleveland, for two weeks tonight (27), his birthday.

William Penn maître A. Allen named manager of swanky Alibi-Country Club.

The Donald E. Schleifstein—his the Post-Examiner—may retire—expect the stark in September.

Tea drama closed closing union with 'Follow the Sun,' written by a student, Dorothy Stewart.

Jimmy Perkins weighing an offer to buy in on a Shubertville, O., money and install his hand there.

Gray Carpenter, son of Bradlock exhibit, will spend the summer at Iovyston, Conn., playhouse.

Felice Danton, Jr., replaced Lila Harvath in 'Road to Rome' at Playhouse for remainder of run.

Bob O'Donnell presented Johnny Harris with a pair of silver spurs at Variety Club meet in Dallas.

Fred Burleigh to New York in a fortnight to line up players for his summer stock season at Oshkosh, Wis.

Mickey (Mrs. Charlie) Karpman placed out for Boston over weekend to join her husband, Lew's new district manager in that area.

CBS' Showcasing

Continued from page 1

performers and probable appeal to the radio audience as an attraction.

Elmer Davis, the author-turned-commentator, who will be the pivotal figure of a production news monthly.

Paul Robeson and Eddie Green who are to appear on a Negro program plus a chorus and orchestra.

George McCall, lined up for a new twist on Hollywoodian.

Fredrick March and Florence Eldridge, to appear in a dramatic program, written and directed by John Houston.

Ed Gardner, the radio director who created a character, 'Archie,' will have a panel discussion from Hollywood.

Two 'battles' are scheduled. One is a singing versus speaking affair embracing Albert Banding, Raymond Fajal and others, including two Negro orchestras. Other's a dramatic 'battle' involving Maurice Evans, Raymond Mancy, Frederick True Thomas, Mitchell, Judith Anderson, Elizabeth Arden, Horton and others.

George Faustner will be the production chief of staff on the series with Charles Van der Stoep and CBS production editors Norman Morgan, George Zachary, Earl McGill and Pat Cullen now whipping out scripts. Series is separate from several recent 'educational' innovations decided upon by the network.

London

Harry Tate left \$200.

Old Bill and Sam' completed by Lorraine Films.

Harry Bradbury Pratt has opened Becker's eight club.

Arthur Brown's real name is Brown. He has a brother who's a British agent commander.

Michael Balcan, head of Associated Talking Pictures, is to make a film on the Anglo-French salute outside.

Levy theatre, Hammermill, house but created record some years ago with the case of 'The Beggar's Opera,' a new a leading point.

Berry E. Barnes and wife, Diana Churchill, confidante for her film temperance and brotherly love; play together, a comedy drama.

John B. Myers doing series of film star biography shorts. First subject: Valerie Hobson, with next one likely to be Elizabeth Allen. Film sponsored by Len.

Robert Hough doing a balance in 'Bernard Shaw's The Devil's Torment' at Bristol, is to be seen in London prior to filming the 'Life of Oscar' for Metro.

Buzzard demand in town for press tips for the opening-night with the Eric Woodville's new revue, 'New Faces,' at the Comedy Theatre, with numerous people compelled to release some writers to attend work.

John Corfield (British National Film) has announced John Baxter as producer-director for two years' result of his service with the Young Traders' group 'Launch 1100' Contract fully for five pictures per year.

Will Fyfe was offered starring role in 'Let's Mix It,' the Lorraine Bennett review at the Playhouse Theatre, but had to turn it down due to refusal of Gaiety-theatre Film, which has him under exclusive contract, to turn it.

Maureen, 48, for some years head writer at the Troubadour restaurant and then secretary in charge of the subject, died. He disappeared suddenly, and was later heard of in Oxford, where he had become a hotel owner.

Jack Raymond starting production of the 'Life of Leslie Stuart' for Grand National Film (London) at Warner Hall studios, which G.N. has leased for two years, with option to purchase. Film is headed by Robert Morley and Eynon Williams.

Way or no way, the London movie publishers' union to New York is in swing. Those having talked at about to end are: John Aldrich, 'Frankie, Day & Hunter', Irvin Duth (Irvin Duth Music Co.), Ben Connolly, 'Campbell, Connolly & Co.' and Simon Van Lier (Radio, Press).

Minneapolis

By Leo Ross

Barton Holmes wound up traveling series at L'Amour.

Harold Field making tour of his home theatre circuit.

Plans in making for reestablishment of dramatic stock here.

L. E. Goldhammer, NEAT district manager, in New York on business.

C. E. Glass, Warner's branch manager, recovered from appendicitis.

These City Variety club hall realized substantial sum for relief fund.

Leon Farned, United Artists' exploitation department head, here for a day.

Jerry Weisheit resigning from Film Alliance for jobs Bilt-Fox in Omaha as booker.

John A. Fiedel, Minnesota Amalgam Co. general manager, back from New York business trip.

Enquire, keep first-run, to go to straight 26 gallery, same to Gopher, replacing present the top week.

After seven months in West Hotel Murphy Room, 'Murder in Old Red Barn' goes into the G.M. night club.

St. Louis

By Sam K. Davis

Extra performance of 'Showcasing Fulton of 1945,' presented by Little Theatre group because of low demand.

Kathleen Scott, Lindbergh Club, kept speech shorter, asked to full-time staff of St. Louis School of the Theatre.

'Moonlight at Seven' has been dubbed by Town Square theatre, straw-hat. Other plays to be shown are 'Two Merry Gentlemen', 'Portugal' and 'Dance Master'.

'Mama,' postponed because of illness of Grace Moore, to be presented under sponsorship of St. Louis Grand Opera Association in opera house of Municipal Auditorium (Monday 28).

Jack Bush, manager of the Garrick, booked, which was shattered by recent reports, is taking rest before opening the Gluck, on the Atlantic City boardwalk, for Harry Carroll in June.

Fred Beaman, manager of the Municipal Theatre Ann., mapping 12,000-mile air trip to southwest to arrange extracurricular and plant advance party for forthcoming at home season at Forest Park.

New attendance record of 22,500 customers, set at 24 annual prices

given that ended 15-day run at Arena last week. Mark exceeded the previous high, 217,000, transferred last year. Fashions & Mares produced.

Eugene O'Connell, conductor of Cincinnati symphony, adding Vladimir Gorkhovsky in wedding, not comparisons in legal strength society's \$1,000 quest for a new symphony work by an American composer; 113 of 185 compositions submitted have been advanced to date.

Partial list of artists permitted by appearances with St. Louis rough with during 1945-46 season include Arthur Balaban, E. Robert Schantz, Corinne Frederick, Vladimir Gorkhovsky, Joseph Bieletz, Janet Bieletz, Joseph Galdi, Maryline Lawrence, Leo Gorka, Jane Harris and the Thomas Bertram. Vladimir Gorkhovsky returns as conductor.

Plane Jumps

Continued from page 1

show together, hence the straggling route for the boys isn't necessary.

Started as Bickly

Starting as a bickly but now more or less a business activity, playing races two-nighters by air no longer seriously accepting doses 1,000 miles apart. Geography is no longer a hurdle, and the show his action of a 'wager jump' applies perhaps only to those that might be as wide apart as the length and breadth of the U. S.

How flying alleviates strain and, through that preservation of physical well-being, interprets itself as favor of the article, is illustrated by Jimmy Dorsey who closed at the Hotel Roosevelt, New Orleans, April 2, and yet was able to comfortably make his Hotel Pennsylvania (N. Y.) debut April 3. Instead of a wearing 12-hour train ride, which would have meant a mad dash from N. Y. to N. Y., with no rest or allowance for rehearsal, and no time for the necessary broadcast balance tests attended to every now and then, the entire band instead enjoyed its proper sleep and fine late N. Y. Thursday, for an additional night on terra firma before the Friday (April 5) debut.

One-Mile-Hour Pay Fare

Transportation is a major item in band movements and it's been found profitable to fly an entire group on a long hop. The revenue from a stop or two at a waystation one-eighth more than paying the extra cost and sometimes underwriting the entire trip. Against a long train jump, with no spare time to clear a dance hole to help pay expenses, the advantage is clear.

Dorsey flew his outfit on a series of one-nighters, too, before starting the Roosevelt date and after finishing at the Sherman hotel, Chicago. Band played single stands in Lawrence, Kan.; Knoxville, Tenn.; and at Evansville, Ill., on successive nights. Both Dorsey Goodman's and the Casa Loma outfit have utilized planes in cross-country hops, both breaking down for one-nighter revenue. Tommy Dorsey has used winged transportation, as did the old Artie Shaw band.

Ringling

Continued from page 1

money raised by John and Henry Ringling North when they took over, following the death of their uncle, John Ringling. Fact that the Ringling outfit will have very little opposition up its chances for big business on land.

Stated that the circus must be away and in from July 1 to have a successful season. The weather is often a factor and the cost of transportation, rent high. Believed that the Garden business was strengthened this season because it will not pick career in Brooklyn this time, so that the draw included that territory, plus the rest of Long Island. Figured how that the revenue of acts from island performing in the Ringling show for the first time is another factor in the show's favor, for the word went around after the opening that it was well worth while.

Picketing at the Garden had no effect whatever on attendance. A union of roughnecks was formed on the outside and claimed a lookout. Lame with the show has its own union and is reported that no 'union' any members. American Guild of Variety Artists has jurisdiction over the performers, but declared itself off the newsmen and study laborers in the outfit.

Laugh around the show was provided by uniforms started by Fred Brodus, the ringmaster, and Pat Valde in charge of personnel. Both outfits would put any museum around New York to shame. Uniforms were designed in Paris. Brodus's being marked with hepp of Gold brand and blue pants.

Hollywood

Jane L. Lasky back from Tennessee.

Michael Curtis on vacation in Mexico.

Flora McKinney divorced Barry Trivett.

Shirley Temple celebrated her 11th birthday.

Ruby Davis back from an eastern vacation.

Anita Louise and Betty Arter in, and May 12.

Richard Dix recovering from a headcold.

George Shaffer back on Warner's publicity staff.

Jane Hawk returning to pictures after 11 years.

Guinness Marx out of bed after a week with flu.

Andrea Leeds recovering from major operation.

Wilfred Lawson in from London for picture work.

Byron Coleman went a run-over from Dr. Edwin C. Glan.

William Pathway to Honolulu for a month's vacation.

Jack Yarrow in Kansas City for his mother's funeral.

Barney Curt upped to doing director for Hal Roach.

Harold Doolittle checked out as Republic's picture director.

Ronja Hertz recuperating from her operation at Arnshead.

Errol Flynn vacationing on his yacht in Mexican waters.

Julian Blackman joined the editorial board at Paramount.

Rowland V. Lee moved into his new Wilshire valley ranch.

Neil has shifted from Jimmy Feller's staff to Louella Parsons.

William Cavanaugh home from hospital after major operation.

James Wahl recuperating in Santa Barbara after mastoid operation.

Len McCort taking plane home to leave his injured arm mended.

Edmund Goulding checked in at Warner's after a long sleep of pneumonia.

Commander Jack Halloran joined Colonel James Joy's public relations staff at Bilt-Fox.

Carolee Jones pinch-hitting while Ben Taggart is vacationing from Warner publicity job.

Marion Soper settled down as a permanent Hollywood resident to keep on with her radio and stage writing.

Adolph Hamich and Louis Brown in Washington in straighten out their Hawaiian theatre circuit difficulties with the Government.

Chicago

Harry Wendelin, Alie Lerner's personal rep, in town.

Mary McCormick, Chicago Opera star, heading over at the Bilt-Fox.

Charmaine Falkner in this territory for his last two instants of season.

Walter Ford in to a new business situation of 'Life With Father' at Blackstone.

Baldwin & Katz tossed a cocktail spread for Stanley Fields and Arturo Goby.

George Coker is just concluding with Katherine Hepburn on 'Philadelphia Story'.

American Guild of Variety Artists, along with the Outdoor Division, has moved into new general offices in the Woods building.

Elmer Follenstien of the Bilt-Hat silver has taken lease on store property in State-Lake building and will open a tavern shortly.

Philadelphia

Hal Seidenberg, Fox Theatre boss, persuaded with golf clubs by his staff.

Arthur Simon, WPM's general manager, recuperating from a spell of cold.

Wes Dean, former drummer with Charlie Barnet's crew, is business making drums here.

Harold Brown, assistant manager of the Earl, is back on the job after a tussle with strops.

Lena Harvey, KTW organist, will have much to be said. She'll be replaced by Eric Williams.

Frankie Palmone is again returning to an old love—boxing promotion. This time it's for charity.

Dy Cohen, former manager of Million Dollar Pier, Atlantic City, is now theatre ad representative for the Philly Daily News.

Istanbul

Paul Smith, American Negro, finally getting off his long-postponed head concert.

Turkish Post, only German-language newspaper here, shuttered by government orders.

Attendance in country's cinema averaged 500, first week of M's, reduction in short prices.

Seas reached here of the marriage of Joseph Kerner, M-G head in Baghdad. Bride is Tina Jacobson.

Municipal Theatre completely renovated for the Comedie Francaise troupe, which played to 3,500 for four performances.

Cairo to be constructed at Taba, plans already drawn by architect who did the Turkish pavilion at the N. Y. World's Fair.

Florida Boom Under Way

(Continued from page 1)

can that they better "follow the money." The evidence from northern key cities for the south this past winter played particular havoc, used only by the fact restricted travel across the Atlantic brought up the general average.

Cable men point to spots like Pan & Bill's, Hickory House, Baby Face's and kindred straight eating places, branches of New York and Boston mainstays, doing well in Florida, notably Miami. Idea is to extend that with cabarets and really put on elaborate shows. Whatever may be the criticism of the certain type passenger that has converged on Miami Beach, fact that there is mass attendance indicates that it's hurting business up north.

'May Thru May' in Miami OK

Miami, April 28.

With majority of hotels still considerably filled, and remaining others pumping up rates early, Miami is enjoying the most solid business in its history. Only positive check available yet on 'May Thru May' promotion pull two postoffice figures talking mail handle 40% above last year. It's to be noted also that most hotels are in such a better over current built business, they've postponed their customary seasonal special to the sweeping wall till a more propitious time.

Although the future still has been in the vicinity of an anti-gambling barrage all season, only two major casualties resulted. Royal Palm Club folded suddenly after several weeks, and whether or not it will respond for its usual summer season is a matter of conjecture. The Drim also took the recent after a series of raids. Inside dope hotels that this week spot war left building \$10,000 in rubber checks, which were passed over the summer, just before the state's final visit.

The current riotous setup is practically the same as during the season, with the exception of the above mentioned, and several of the still-shirt joints, which were supported by moonshiners.

Open All Summer

Heaviest current entertainment layout is supported by the Club Ball, which will remain open all summer. Spot has a gal line, rhumba and standard dance combo, and stand-out floor show. No names, but gives the customers a good run for their money. Paddock Club, on the beach, is another that hasn't closed the entertainment budget noticeably. Al Schenk and Middle Features provide the comedy, and Tony Lopez with and Peppole's Rhumba's dish up the music.

Spot also has gal line. Belmont Club bills Toni Lane, Lynn and Laverne, and Johnny Silver's combo. Jumbo's, on the Miami side of the bay, will remain open all summer with music coming in on week-in-week basis. Bob Hamilton's act is retrenched here, and spot is largely patronized by locals.

Five o'clock Club closed Saturday after a banner season. Impossible to get to the point closing date. Carrousel is another that better than's doing all right. Policy is to bring in some name, for the weekends and try on fund and hand to fill out the week. Frances Faye had the ropes up early Saturday (28).

Swatch and splash joints have no complaint, most of them expecting to carry on through the heat. Mother Kelly's is maintaining identical season setup including Owen and Parker, Lewis Sisters, Bennett Green and Jack Reynolds crew. Delta Bar of Music, which has John Hale, Marilyn Duke and the Four Grand. El Chino's a regular click, summer and winter, with small rhumba band and in and out acts.

Two of the hotels have put up bars 24, but must have shared their entertainment layout down in a lull and warlike.

Same for the restaurants. Baby Face's did as well last time out, that will remain open all summer. Palm Morocco still draws the druggers, and other place exterior report few while covers.

De Fender' Lackluster Plans

The Florida National Bank & Trust Co. at Miami, a du Pont subsidiary, has announced that a group of its customers propose to build in Miami Beach the most substantial and unique enterprise in the world. Rivaling anything hitherto known along the French or Italian Riviera, this projected "Grandstand" development on the Atlantic ocean, north of Miami Beach, is expected to involve an outlay of approximately \$10,000,000.

Initial point is the development of the construction of two

new hotels of 250 or more rooms each, a theatre capable of seating 1,500, an aquarium expected to be four times as large as the one at Marineland in St. Augustine, an athletic stadium of sufficient size to provide room for two professional baseball teams, a city seating 500 or more persons, along with a cocktail lounge, dancing pavilion, soda fountain, and several rooms, all capable of accommodating several thousand persons.

Plans also call for 200 or more de luxe semi-detached cottages, with provisions for Mexican and Venetian villages, swimming pool and diving towers of all-marine construction, bowling alleys, shuffleboard courts and other recreational facilities, a hall suitable for handling conventions, a Pan-American Trade Mart, and adequate parking facilities with artful overhead walkways for people to get from one location to another.

Although all parties involved in the plans have steadfastly declined to make any public announcement, immensity of the proposed development was indicated in the announcement of an architect's competition, wherein they were invited to submit plans for the project.

Last major project of the du Pont interests in Miami was opening of the Alfred I. du Pont Bldg., costing \$2,500,000.

N. Y. Fair Set

(Continued from page 1)

louis' famed Alouette House and Bazaar Bar. Another spot in this same layout will be the New Orleans Restaurant, with Pierre Bernard, chef chef at the Remond hotel, N. O., coming up to supervise the kitchen. Gay New Orleans is also reproducing the Poor Boy's Sandwich Shop from N. O., which is in line with the fair's own idea of more moderate prices.

Todd's Dancing Campus, grinding name bands at the admission, the Gypsy House, which will stage 'The Hot Drunkard,' and 'Streets of Paris,' starring Abbott and Costello and Gypsy Rose Lee, will also considerably brighten the area.

Beats and Spas

Todd is figuring on the Orris Tucker arch-Bonnie Baker combination to open the Campus, with possibly Ben Bernie also in at the same time. Bernie, incidentally, may work out a partnership deal with Todd whereby he'll play the Campus throughout the summer on a sharing basis. Talent features in Gay New Orleans will be Louie Armstrong, sax leader, Don Redmond's orchestra and the Berry Bros. (27).

Another mostly addition to the midway this year is the fair's own 'American Jubilee,' the overblown having a cast of over 200 and including such talent as Paul Haskins, Joe Jackson, Lucy Monroe and Don VonHosen band. Albert Johnson is producing this show; Leon Lavendoff staging and Arthur Schwartz and Oscar Hammerstein II doing the music. It's spotted at the end of the midwestern amusement zone, where the NYU midair layout was last year, and will cost \$100.

Billy Rose's Barbary Coast restaurant, with the show moving over virtually intact from his Diamond Horseshoe, in Manhattan, will seat around 500 at tables and also will enhance the midway. Route Royce, the dove dancer, may go into the White Way Casino in a show tentatively titled as 'Valence the Parade,' while the Monte Pryor-Walter Bethune Beachmaster duplicate from Broadway will also add life to the midway. A deal was talked last week with Leon & Eddie's to reproduce a similar spot on the midway as their Eld street show, but they are cool to the proposal.

Culture ticket book that the fair is selling, includes admissions to some of the bigger midway shows, such as 'American Jubilee,' Star New Orleans, Dancing Campus, and this also is figured to lure a bigger percentage of the fair's attendance into the bolche area.

UNVEIL FELLOWES MEMORIAL

Manhattan, April 28.

Unveiling of the Dexter Fellowes Memorial in Fairview Cemetery, New Britain, took place Wednesday (28).

Dedication of monument for the Ringling prize agent was by Governor Harold G. Hoffman of New Jersey.

Charlotte Ordinance Restricts Carnivals

Charlotte, N. C., April 28.

The Charlotte city council has adopted an ordinance restricting the operation of carnivals in Charlotte.

While the ordinance does not outlaw carnivals, its provisions are so rigid that it is doubtful they will be able to show successfully anywhere within the city limits.

Rams Carnivals, Caracas

Manhattan, N. Y., April 28.

Mayer Harry W. Lash has barred carnivals and circuses from the community during his term of office on the ground that "when we spend our money at the carnival or circus, all of it goes out of town." He also cited carnies gambling fronts.

N. Y. Legits Woo

(Continued from page 1)

is evidently a trend toward \$2-top legs, indicates plenty of legit lure to supplement the Fair in drawing tourists to the metropolis this summer.

Musical shows coming to Broadway include 'There After There,' which played the road and was withdrawn for revision; 'Keep Off the Grass,' which opened in Boston Tuesday (20) and is slated for the Broadway, which currently has 'The Fifth Column'; 'Lushiana Purchase,' due for a tryout in Washington next week, being booked into the Imperial May 18, and 'New Faces of 1940' may have another tilt, due to start rehearsing soon. 'Hold On to Your Hat Boys,' which will bring back Al Jolson to the boards, is also about to rehearse, but is not due on Broadway until late summer or the fall.

Current musicals which should be summer players are: 'The Harry Was a Lady,' 5th Street; 'Higher and Higher,' Shubert; 'Hallelujah,' Winter Garden; 'Two Many Girls,' Broadway; 'Two for the Show,' Booth, and 'Pins and Needles,' Wind-up.

'Three' will possibly be latched at the Majestic, 'Margin for Error' being the present tenant. Kitty Carline is mentioned replacing Simone Simon, who played the lead originally. Attraction is said to have the backing of a son of the Schindler family, wealthy Christians.

Tourists

With dispassionate severity in the press and out as to what's the matter with the theatre and what is to blame, a vital factor not considered is the paucity of patrons from out of town. It is that type of customer that legit looks for, as much, if not more, than residents of the metropolitan area.

During the winter it was known that the hotels were busy off and even the leading 'mom' occupancy was but 50% of capacity. Records show that February was the worst of any month during the past 18 years. April saw some improvement, but not materially. Flood of hotels are reported on the market for lease or sale. Operators of one of the most consistently successful midtown hotels, which is distinctly under normal, too, were offered the operation at 11 other spots, but would all proposals.

Death of visitors is interpreted to portage a heavy index for the second season of the World's Fair, which lights up May 13. Last spring that, too, was the expectation, but the buildup then led to a sharp letdown. There appears to be a marked difference this year, with the word around the country that the cost of attending the fair will be modest and the high hat atmosphere that existed last year is out.

This is accompanied by legit business heralded as raise in rates, and more are even advertising rooms for less than anytime heretofore. Last season permanent guests were chased out of hotels and the rates hauled, with the result there were many thousands of empty rooms. If and when the hotels fill up, theatres are bound to benefit.

Mart Kenney Due at Road

Vancouver, B. C., April 28.

Mart Kenney arrives, at its regular Hotel Vancouver stand by the wharf, is now on a holiday prior to moving into the Grand Springs hotel, B.C., for the summer. Making its farewell appearance in Vancouver, it played two shows at the Orpheum Theatre.

The stage appearance marked the last appearance with the band of vocalists Georgia Dry, who is leaving to marry a professional golfer in eastern Canada.

WHAT THEY THINK

Mander, Inc. Priority

Philadelphia

Editor, VARIETY:

On page two of your April 24 issue, you say Ann Burdage was the first to "put Mander, Inc. and that it is his creation."

I have to see three studios and a couple of writers getting their noses in an uproar over the little, because I registered it with the Screen Writers' Guild in Hollywood some three or four years ago. Registration number is 10432.

It happens to be the tag on an original play, part of which was produced by Elio Edson at the old Writers' Club on Sunset Blvd. during October-November, 1926.

Various agencies, including the Leiland Hayward Office in Hollywood and the Lyons office in New York, have had the play and should be acquainted with the title. The press on the West Coast has given my play some publicity (including VARIETY), and a few studios have about it.

If, however, my play has nothing to do with the Broadway crime syndicate, it deals with mountain men. The title, though, has been registered, published and used by me, and I think that gives me prior rights.

At any rate, if there's any arguing to be done with the Mays office or other writers, my end of it will be handled by the Leo Irwin Agency in Hollywood.

Don Martin

Depressive Radio Fits Verulam

New York

Editor, VARIETY:

Every week since VARIETY tries to present facts regarding the motion picture business and I sometimes suspect you do so with "tongue in cheek" because of the vagaries of opinions. For very rarely do any of the top executives ever "hit the nail on the head" and suggest plausible corrections to really aid the business of the nation.

Lately there has been a growing tendency to put condensed versions of pictures on the air before they hit the majority of screens. Mr. de Mille is one of the prime offenders, along with some of the other biggies, hurting the potential drawing power of some pictures. If these gentlemen could see and hear the number of people who pass up a movie because they heard it on the radio, then probably they would be personally shocked into realizing that their misguided efforts are one of the potential reasons that box-offices are grayer from their real attack.

I know someone is going to say that this picture and that picture was helped by broadcasts of this nature. But, I bring you 13, that the picture mentioned is one of the top grossers that had terrible audience appeal and was bound to be a hit without any assistance from the radio.

The summer movie show giving from our shows is \$5 or \$10,000 potential customers, the more quickly grants and percentage participation will start to increase. And as the entire industry says, there's nothing a good picture can't overcome.

F. Lawrence Coley

Value Baffled

Minneapolis, N. Y.

Editor, VARIETY:

The article on radio's value mentioned, in last week's issue of your sometimes studied magazine, provided a free paper game. Which were the two grossly misused commentators? I heard all of 'em mentioned except Lowell Thomas. And why was that, ask the end man? Well, these talkers were not their listeners because they never studied voice culture, oratory, diction. If you listen to Thomas you'll notice the tone shifts, never in a weary groove. It seems natural but it is art. Lowell studied elocution and taught it, too, in the old days.

Now you will agree that what is needed is the late for the commentators to provide, in person, in new, delightful voices. So I suggest voice substitutes. Get good actors to help out on the speaking end. It has already been done in a series. High Melrose film in the Elvira Queen who can write but not talk agreeably. Why not have actor who for the newsmen? Announcement would go like this: "You will now hear from Preston Blair, the great war correspondent, his material read by a voice relief, Juvenile Black."

The audience would come the speaker, and the writer, too. Some of those voices, now heard, have been very satisfying to the past.

And did changing times rate. Too, this new guy would provide jobs for actors. I think, after the gris was off, it might be taken seriously.

John Wilkerson

Peppercorn Blackout

Springfield, Mass.

Editor, VARIETY:

About a week ago somebody wrote you a letter reflecting the Peppercorn 'Baby Naming Contest.' Above the letter was the Editor's caption questioning whether or not these contests help the product.

You are welcome to publish this, my own view regarding the particular contest. I agree heartily with the writer whose letter you quoted. If ever a contest appeared phony this particular one did. The amount of money Peppercorn said was to be paid out was \$12,000. Only the \$1,000 winner was announced. What happened to the other winners who were supposed to get the rest of the money?

Peppercorn wound up the contest to the dissatisfaction of plenty. No doubt if a contest is run as apparently serious then what guarantee has a prospective customer for the Peppercorn product? No doubt I would take the time to write and express themselves so freely.

You may print this letter. I haven't anything to hide as no misrepresentations to make.

Eva Charis

P. S.—Peppercorn lost another customer.

Co-Op Strawhat

Baltimore, Md.

Editor, VARIETY:

Considerable misunderstanding has arisen as result of the newly formed summer theatre project, the Fair-view here. I wish to make this statement clear: that professionals and semi-professionals are being invited to join this group which is to be entirely cooperative. The theatre for me has been given in by New York backers. It is an experimental workshop for the professional stage. There will be no guaranteed salaries; the only compensation will be the equal dividing of the weekly boxoffice receipts.

We offer the playwright the chance to have his manuscripts tried out here; we offer the actor the chance for principal roles by not using name actors; we offer directors the opportunity to show their capabilities; and we offer the technical staff a chance to create on its own. Our theatre is adequate, a seating capacity of 200, and a drawing power of 100,000.

Stanley G. Ruben, Asst. Manager.

Friedrich Wolf

(Continued from page 1)

French ambassador here for Wolf's release.

It's claimed by the League that a Mexican visa has been issued to Wolf and is awaiting him at the Mexican consulate-general in Paris, and that \$25 for his passage from France to Mexico is an deposit in the French capital. His charges have been lodged against Wolf, the League says, yet the French government refuses to let him leave.

Wolf authored the anti-father film, 'Professor Mamlock,' among other prominent works. The League says it has reports that the author is very ill in the camp.

Geo. McManus

(Continued from page 1)

has been writing shorts on the Metro lot.

Gerrard prodded McManus to do the part, the cartoonist closely resembling the character he created. He was tested for it two years ago by Warner Bros. and said to be satisfactory, but the idea was dropped. Whether he will do it in Gerrard's version will depend on point of the releasing company.

Gerrard's plan is to make two features a year in the series. He is negotiating with two major film release and financing is complete for the film, which will be budgeted at between \$150,000 and \$200,000 each. They will be made on the Coast. Contract with King Features, which is by its parent, was set by William Morris office.

First story in the series has already been completed by Gerrard and Ben Ryan, and will be titled 'Bringing Up Father in H. Society.'

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ACTIVE-LATHER
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FILMS' LAST DITCH STAND

20th May Defer Any More Films With Shirley Temple Says Zanuck

Shirley Temple, for almost five years the chief bulwark of 20th Century-Fox profits, will probably make no more films—at least for that company—after "The Young People," in which she is now working, is completed. Darryl F. Zanuck, 20th production chief, as indicated in New York yesterday (Tuesday). He made it clear that grosses on the 16-year-old star's recent films have been disappointing. On the credit side, however, is the approximate figure of \$20,000,000 as the total Temple film output. Mary Pickford, during a much longer career, is the only film star who has outgrossed Shirley.

Zanuck said Shirley's tenure has one more year to run, but whether or not a picture is made with her during that time will be decided in conference with great Sidney Kent during Zanuck's present visit to N. Y. Likelihood is that some will be made, or at least nothing more than a low-budgeter.

Twentyfourth even declared there is some vague thought of a plan to option Shirley in such manner that (Continued on page 8)

DAYLIGHT TIME HITS N. Y. LEGIT

Business along Broadway stopped last week, lower floors and agencies being mostly affected. Start of daylight saving time is the accredited reason and it is explained that such reaction, when longer days arrive usually lasts two weeks, after which the "N.Y. customers" are expected to become accustomed to the change in hours.

Five attractions are off the list. "Unholy Expensive" stopped at the Rialto Saturday (11) after two and one-half weeks; "Sunset," Playhouse; "When We Are Married," Lyceum; and "Reunion in New York," Little, stopping on the same date.

The next week: "The Return of the Venetian," National.

CBS' FINNISH AIRINGS INSPIRED SHERWOOD

CBS gets a potent backdrop in the current hit, "There Shall Be No Night," presented by the Playwrights Company and the Theatre Guild at the Alvin, N. Y., last week. Angle on the play is that author Robert E. Sherwood is understood to have been inspired to write the play by William L. White's CBS broadcast from Finland last fall and earlier. H. V. Kalishman, who made his rep at an international conference over CBS during the Finnish trials, was among the first-

No Carpsas on Sunday

Boston, May 7. Board of censors here stayed in late "Lights Out in Europe," documentary anti-war film—for week-days only. On Sundays, it ruled, censors must be strict.

Scenes in Poland, with the bodies of persons who had been killed by German air bombs, had to be removed after the final Saturday night show. They were resubmitted on Monday.

SWITCHES FILM, BAND NIXES 45G OFFER

Awertedly because the Strand, N. Y., had promised him "All This and Heaven, Too" (WB) as the picture, if going into the house on a four-week guarantee, then subsequently switching, Orin Tucker has signed with the Broadway Paramount instead. Warner Bros., operating the Strand, offered Tucker \$45,000 for the four weeks with "Heaven" (Betha Davis-Charles Boyer) as the film. Meanwhile, he had talked to the Pat, with result when the Strand advised Tucker he would have "Summer Ordeal" as the film instead, he balked.

Switch on the picture from (Continued on page 8)

RCA's Impressive 6 1/2 x 4 1/2 Feet Tele On Magnified Screen

Television entertainment projected (magnified) upon a screen, slightly less, was demonstrated by RCA at its board meeting in Studio 5-A at NBC, New York, yesterday (Tuesday), and proved very impressive. A full hour's program included several good samples, and the whole display was marked by clarity, even at a considerable distance. RCA now expects to have the screen expanded by September to 8 1/2 feet, said to be only a matter of grinding the lens and otherwise testing and redefining the equipment.

Lewell Thomas acted as m.c. at the board demonstration, and brought in several times with bulletins for off the transmitter visually reporting Chamberlain's defense before Congress. A child prodigy performed at the piano, the Merry Minnors, recently landed three pop tunes, and a dance and skit (both features in (Continued on page 8))

ALL-INDUSTRY POWWOW OF 100

Picture interests not directly involved in Govt.'s Anti-Trust Suit See Urgency for This Conference of 100—To Seek Some Solution for Multiple Attacks on the Business

LOOKS PROMISING

Plans are being initiated in New York by film interests, not directly involved in the Government anti-trust litigation, to call an all-industry conference of 100 within the next few weeks, the purpose of which is to seek some solution of the legislative attacks from without, and such an amicable program for adjustment of internal frictions. These trouble-shooters hope to accomplish much that way, and to satisfactorily adjust sundry industry ills in a practical, forthright manner.

With hearings scheduled in Washington next week (12) on the Neely (Continued on page 7)

Jimmy Walker's Frank Address Before Picture Pioneers in New York

Spring meeting of the Picture Pioneers, organization of film executives and exhibitors in the New York territory, who have been actively engaged in the business for at least 25 years, developed into an informal session at the Waldorf-Astoria last Thursday (11). Hard-earned showmen, inclined to maintain the blue viewpoint, meted completely before the end of the evening, under the spell of nearly an hour's talk by James J. Walker, former mayor. Justice Ferdinand Poyers and Dr. A. H. Goodman also spellbinder. Jack Cobb, pres. presided.

Walker was initiated as a member of the group, qualifying on the basis of his association years ago as gen- (Continued on page 8)

NO HOME IS COMPLETE WITHOUT A WAR MAP

Chicago, May 7. WLS has prepared and is distributing a special large map of present-day Europe for use of its listeners. Map was made up by Juliette Bosley, news editor of WLS, and is offered to listeners at a dime a copy. In first 16 days WLS had sold out over 25,000 copies and the demand continues to flow in at the average of 1,000 letters a day.

More N. Y. Hotel Reservations Cue Possible Bigger B. O. for Fair's 2d Yr.

The Jossels as an Act

Philadelphia, May 7. Mr. and Mrs. George Jossel (Laird Andrews) will headline the show at Jack Lynch's roof for two weeks starting Monday (12). This will make their first story or stage appearance together since the recent much-publicized marriage of the comedian to the 14-year-old showgirl.

IF NAZIS BOMB LONDON, U.S.A. HEARS IT

Montreal, May 7. American radio listeners will hear the sound of the first bomb that drops on London, the shriek of air raid sirens, the crackling fire of British anti-aircraft guns and the drone of pursuit planes the minute Nazi bombers try to attack the English capital from the air.

Understanding is that all technical arrangements for broadcasting a possible air raid have been made by the BBC so that times would be made available for American broadcasters at a moment's notice. Special microphones will be placed in strategic spots throughout London—in hospitals, depots and air raid shelters—so that complete drama of the conflict can be conveyed via the ether.

That Pink-Champagne Touch (4 Doz. Glasses) Burns Up N.Y. Boniface

A dead street in N. Y.'s location suddenly gone Continental. Last Thursday (11) at the location dinner by Paul Douglas, radio emcee, in the cause of a burning by a competitive restaurateur, incident took (Continued on page 8)

Requests for reservations and information on rates pouring into the New York hotels is being looked upon as further indication that the World's Fair may do the impossible of drawing a better attendance in its second year than it did in the first. Last year's paid attendance was admittedly disappointing at \$1,871,305.

The Knott Hotel chain, for instance, reports a 200% increase in out-of-town reservations and inquiries over the same period last year. At that time the Fair wasn't getting a particularly helpful press outside N. Y., almost all stressing the high costs to the metropolis. Another negative angle last year is attributed to the New Yorkers themselves figuring there was plenty of time to see the Fair because of the economic slump year. It's estimated that hardly 20% of the population in N. Y. and surrounding territory saw the Fair in '38. The N. Y. Big Show starts its second year on Saturday (12).

Harvey Glens, head of the Fair, Sunday (12) emphatically stated that (Continued on page 6)

PIX AGAIN HOT FOR AIR SPOTS

Hollywood, May 7. Package of special deals for film talent are available in generosity at Metro and 20th Century-Fox. All questions of possible film exhibition participation in the continuous string of celluloid personalities is seemingly offset more and for all by the exploitation advantages of radio publicity. Changed attitude has been brought about by alleged proof, offered by the networks and agencies, that pictures which had the benefit of air aid fared better at the boxoffice than the non-broadcasters.

Many of the country's leading theatre operators are said to have been won over to the MGM and 20th way of looking upon radio as necessary. (Continued on page 6)

Omaha's Gracie Allen Invitation

Editor, Variety
Golden Spike Days will be celebrated in Omaha May 15 to 18, inclusive. Gracie Allen will be with us and hold her "Surprise Party" national convention.
I extend a very cordial invitation to the readers of Variety and to the amusement world in general to visit Omaha during our Golden Spike Celebration. Gracie promises some grand surprises for us and we will have some grand surprises for Gracie.
We hope that we will see you.

Don B. Butler, Mayor

Gracie Allen for Pres. Pages 24-31

Autry Hypothes Rodeo In Pitt to \$38,000, More Than Doubling '39 \$17,000 Take

Pittsburgh, May 7. Annual 10-day rodeo at Indian youth arena, The Gardens, a 100-ft. circle this year, with Gene Autry film cowboy star, who was the main attraction, getting credit for more than doubling last season's gross. In 13 performances, show clocked more than \$38,000, as against \$17,000 in 1939.

Autry's draw was particularly demonstrated at the matinee, when kids were hanging by the rafters. Such was no great feat Wednesday (11) that Gardens management immediately scheduled an extra afternoon performance for Friday (13), and that too, was a complete sellout.

Western film stars also made himself a flock of new friends here with his exposure to make personal visits, anywhere there was a kid audience. Each boy all day going to orphanages, hospitals and children's homes. Autry collected \$1,000 for the orphanage.

Rehearsal Adds Autry

Philadelphia, May 7. Gene Autry has been added to Col. Jim Drake's radio troupe, which opened last night (Monday) at the Arena.

Herbert J. Yates, Rep. pres in town over weekend, agreed to postpone start of Gene Autry's new picture for 10 days to permit cowboy star to headline Radio in Philadelphia this week. Autry was to have flown back to the Coast Sunday (11) after his CBS broadcast but will do his radio show instead and will do his network show from there this week (12), planning out after the program.

Yates agreed to further postponement after seeing concrete evidence here of Radio having increased Autry's local draw and being assured some thing would be true in Philly.

CORWIN FOURTH CBS ALUMNUS TO CINEMA

Hollywood, May 7.

Norman Corwin, who produced "Pursuit of Happiness" and other programs for Columbia Broadcasting, checks in late this month at RKO to start his writer-director contract.

He's the fourth producer on the CBS network to be recruited by RKO for the pictures. Others are Frank Woodruff, Irving Wallace and Irving Rask.

W. A. Brady Biog Being Packaged for Pictures

William A. Brady's autobiography, "Showman," published in 1937, is being peddled to picture as a package deal by MCA Corp. of America. Agency has acquired from Brady film rights to the book and will build a package out of it, including screenwriters, director, producer and part of the cast.

Objection of studios to doing biogs of living people will be overcome by MCA by using only incidents as a basis for a story, not using Brady's name for the chief character.

Agency has also optioned "Girl In Town," afternoon radio script show on NBC, for pictures and will attempt to sell it as a package.

He Should Be Able To Handle It Alright

Hollywood, May 7.

Technical adviser on the story of his own life is the job picked out by Jesse L. Lasky for Sgt. Alvin C. York in the picture, "The Amazing Story of Sergeant York" at Warners. He's due in from Tennessee in July.

UNA WYKE'S FAR PIC

Una Wyke, nitery waitress, has been tentatively promised to a part by Paramount for the Jack Benny-Fred Allen film to be made this summer.

She's currently at the Somerset House, Beverly Hills, to showcase her for the Hollywood crowd, as RKO has also shown some interest in the act. MCA handles

Next, the Aquarium

Hollywood, May 7.

Arthur Cower, who sold "Brooklyn Bridge" to 20th-Fox, is writing "Tammany Hall" for Metro. Story deals chiefly with the old hall in 14th street, where Tammany was at the height of its power.

ICE-A-POPPIN' FOR N.Y. CENTER

"Ice-a-Poppin'" which was aimed for the N. Y. World's Fair but is slated for the Center, Radio City, sometime in July, is designed as a mixed entertainment. Show will include opera, ballet, specialties and ice-skating interludes, together with comedy bits contributed by Glines and Johnson, who are negotiating with the Rockefeller interests for the presentation. Latter's principal objection is to establish the Center for stage shows.

Expectation is that because of the conglomerate nature of the performance, it will not be closed as tight, permitting a twice-daily performance not within RKO's jurisdiction. Light shows are permitted eight performances weekly, additional shows calling for extra pay. "Ice" is slated to have a \$225 top.

Center management is to install an ice rink, estimated cost to be \$25,000. Five front rows of seats would be removed if the deal is consummated, and the ice surface would have a depth of 18 feet, 100 feet in width. John Murray Anderson is slated to do the staging.

U.S. COWBOYS LAY A LASSO IN VENEZUELA

You can keep your South American tales, as far as C. B. Paul is concerned. He took a rodeo troupe of 25 cowboys and 19 team gals down to Venezuela for three weeks of rough riding in the bull ring of Caracas. He returned last week (1) with a sad story of about checks and bad handling, after getting his talent out of jail and his horses out from under a lim.

Paul said the trouble started when he demanded his share of the take after the first two performances, according to agreement. He was paid in checks. When he tried to cash them at the bank he was told they were n.g. He protested to the Venezuelan and when the argument got hot they all told it to the cops. Result was that Paul found himself in jail.

Without any charge they kept me in jail all day long. While I was here (Continued on page 41)

B'WAY BLOCK PARTY K.O.'D

Stank in Front of Father Duffy Memorial Called Off

Organization representing various hotels in the Times Square, New York, area had an old-fashioned block party on speculation for expected World's Fair hit killed off last week by the N. Y. City Park Dept. Outfit, the Hotel of Times Square, had the assistance of police and every other necessary body to run off a street closing at north, or Duffy, end of the Square. It was to have been studied with talent from the various hotel rooms, and street over several radio stations.

Park Dept. objected and refused a permit for the thing to be staged on the ground that it wouldn't be in keeping with the atmosphere surrounding the recently dedicated statue of Father Duffy, World War priest-hero, for whom that segment of square was renamed.

SAILINGS

May 7 (Gene to New York): Mrs. Aldred Dickinson, Irwin Dush, Jack Harris (Manhattan).

May 8 (New York to Geneva): Glendora Patterson, William Philip Simms, Virgil M. Piskley, Ben Ames (Washington).

May 8 (New York to Bermuda): W. H. Hare (President Roosevelt).

May 9 (New York to South America): Arthur Robinson, Miss. Markovic, Fredrick Milam, Ruth Draper, Alessio de Paolo (Uruguay).

ARRIVALS

C. B. Paul Rodeo Co., Arlie McGovern.

Cantor May Succeed Fred Allen

If Going to Texaco, Allen Would Oppose Own Former Sponsor—Abbott and Costello's Summer Series

Rubbing It In

Hollywood, May 7.

Television, the medium of which seeds Allen water into a frenzy of fright, invades the studio for the first time today (Tuesday) when Thomas Lee's WEXA-D mobile equipment moves onto the Lums and Allen set at RKO for a few minutes of brotherly grips-on for "Dressing Out Loud." If it proves a success then the pie biggest will really start up on aspirin, and there'll be no more of that.

The wide laughter is frightening enough without hearing it into the camera's teeth right in their own back yard.

Political Satire In Mexico City Theatre Almost Causes Riot

Mexico City, May 7.

Theatre Liria, historic local revue theatre where Luge Valey starred, had a narrow escape from being blown to pieces with attendant large loss of life when persons in the balcony hurled bottles, packed with dynamite and gasoline, at the stage during the performance of a political satire. The bombs did not explode, though one of them struck a can-can dancer. Her skirt and petticoat caught the bomb.

The players, excepting the head comedian, who stood his ground and called the bombers cowards and offered to fight them with his fists in the alley, dashed off the stage.

Quick action of cops and firemen averted a riot. Four arrests were made.

Priscilla Lane Balks On Pic, Goes Off Payroll

Hollywood, May 7.

Priscilla Lane is off the Warners payroll for refusal to take the femme lead in "Mama and the Woman," with William K. Howard directing.

The story, Miss Lane disliked the studio, is not suited to her talents. It is based on James Cain's Liberty magazine serial, "The Embodiment."

Rene Blum Sails to Bring Over Comedie Francaise

Rene Blum's sudden sailing last week (1) does not indicate failure of negotiations to bring the Comedie Francaise to N.Y. in the fall, according to his New York associates. Blum is reported back late in June to complete arrangements for the French dramatic company to play a New York date early in the fall, perhaps early enough for a World's Fair engagement before its closing in October.

Brother of the former French producer was one of three passengers to buy the Ile de France on its sudden blackout run to the west coast.

Gertrude Niesen's Musical

Hollywood, May 7.

Gertrude Niesen has been assigned the femme lead in "Carmen from Kismet," which gets a San Francisco jolt break-in in July before being taken east. George Bricker wrote the book and Victor Young and Ned Washington are composing the tunes.

Miss Niesen is currently east, opening Thursday (1) at Loew's Oaks, R. V.

Guild Takes Bloch Play

Play written by Bert Bloch, former story editor for Samuel Goldwyn, has been scripted by the Theatre Guild for production in the fall. It's called "Marie Adeline" after the Grand Duchess of Luxembourg who defied the German army during the first World War.

Collaborating with Bloch on the writing was Luciel Leighton, magazine writer.

Texas may stay on CBS through the summer, retaining one of its few Wednesday night half-hour programs. It had until just Wednesday (17) to exercise time on program position. Around is also still considering Fred Allen as its own fall attraction. If this deal goes through Allen will become opposition to his present sponsor, and continue his 45-minute setup. Allen has eight weeks to go on his present contract, and it's figured that he won't decide whether to go with Texaco or take another Young & Rubicam account for another few weeks.

When Abbott and Costello take over the Bristol-Myers spot for the summer they will have with them Benay Venuta and an orchestra loaned by Peter Van Sterden. A contract is being worked out by Y & R with Eddie Cantor for him to go under the Bristol-Myers banner in the fall but on a half-hour basis (8-9:30). Surrounding half hour will be occupied by another 15-16 show, "Mr. District Attorney." Cantor would plug Irene and Hal Hepatica, and 30s D. A. V. Vinton. Previously reported Cantor-Wrigley deal evidently is a dud.

Y & R is lining up fall programs for Phil Malt and Fathom and Allen can have his choice of these.

SHAW AND WHITEMAN LEAD BANDS IN PICS

Hollywood, May 7.

Artie Shaw takes over the job originally slated for Paul Whiteman as the orchestra leader in "Sword of Chance," to be filmed by National Pictures at General Service studios, starting June 15. Whiteman moves over to Metro for a similar role in "Strike Up the Band," co-starring Mickey Rooney and Judy Garland.

Bertie Morris, co-producer of "Chance," explained that Whiteman had read commitments which would interfere with the production of the picture.

Nostalgia For Selwyn, Joe Schenck In 'Pierre'

Hollywood, May 7.

Edgar Selwyn digs up some of his own personal history in "Adventures of Pierre," which he will produce as a picture for Metro. Script is based on his own stage play, "Pierre of the Plains," produced in New York 12 years ago.

As a more intimate personal touch, Selwyn and Joseph M. Schenck played bits in the first screen version of the piece, made by All Star Feature Film in 1912.

L. A. to N. Y.

Betty Brannen, Phil Charlie, Lester Cowan, Howard Dietz, Irving Fein, Frank Forest, Russell Holman, Alvin Johnson, Estelle Taylor, Verne Walker, John Wesley, Will White, CME Work.

N. Y. to L. A.

Edna Anderson, Harry M. Baldwin, Ed Balbin, Jack Benny, Fred Boardman, Charles Boyer, Mr. and Mrs. Joe E. Brown, Mr. and Mrs. Dave Chalkin, Dennis Day, Donald Flann, A. P. Giamatti, Ben Hastel, Phil Harris, Bob Hines, Mitchell Leiser, Mary Livingston, Bill Murray, Pat Patterson, Sidney Flamm, Herb Pollock, Frank Ramsey, Nat Ross, Mark Sandrich, Don Wilson, Herbert J. Yates.

COAST 'SNEAKS' MISS OUT

Cartoonist Branner Recalls Trouping Days In 'Winnie Winkle' Vaude Strip

Vaudville is getting a strong boost by Martin Branner in his 'Winnie Winkle' cartoon strip, syndicated widely by the Chicago Tribune. Presently Branner has his key characters forming a vaudeville unit to tour the country. What isn't generally known, however, is that Branner himself is a former vaude performer, working in a dance act with his wife, Edith, as Martin and Fabrizi, up to 20 years ago. He called a halt to his show business career, however, when his earnings could not support him from a distance to give him permanent.

It's Branner's own vaude background that lent an extra authority to a couple of his strips early last week portraying old theatre programs and showing many performers prominent in the straight vaude era. As put together, however, the little women's completely authentic. Branner admitting that he called the names strictly from memory. He added that some of the shows, as for instance the spotting of two high horses like Joe Schmoor (Van & I) and Will Oakland on the same bill, would indicate that he's not as lost as a lamb.

Some of the names and acts he mentioned were Luff, Coss and Coss in 'The Post House', Hain Luff, Whiting and Hart, Buck and Fulton, Wilford Sims, Al Jones, Miss West, Eddie Fay and Family, Ed Hayes, Juliette, Charlie Grapewine and Anne Clumet, Hal Wills, Kemo and Green, Irene Franklin, Dudley and Sales, Victor Moore and Emma Littlefield, Clark and Verdi, Tompkins and Sunshine, Clark and McCullough, Eva Tanguay, Duncan Sisters, Harriet and Mark, Coss and Josephine, Casky and Lee, Four Mar-

(Continued on page 51)

Claim to Hugo Royalties Based on War Right To Extend 50-Year Ruling

Paris, April 31. With royalties on Victor Hugo's works ending after 1940, heirs have expressed the hope that the government would give an extension of time before the French author's literary works are considered public domain.

Under French law, heirs are entitled to royalties for 50 years after the author's death. In the case of Hugo, who died in 1885, this period was extended five years by the decree of 1909, stipulating that 90 years ought not to be counted. With this precedent behind them, the heirs hope that a similar regulation will be adopted due to the current war.

This has given rise to heated polemics in French literary circles, with one faction objecting, calling it a form of 'war profiteering' and arguing that the protection he ended regardless of war as that the publication of cheap editions be spurred on. The authorities have not yet given their decision.

Many Stage Families In Coast 'Show Boat'

Los Angeles, May 1. Cast of 'Show Boat,' opening for one week at the Philharmonic May 11, sounds like a Broadway aggregation.

Julie Baker heads the troupe, which includes Paul Robinson, Norma Terris, Helen Morgan, Gay Kilborn, Winifred Harris, Sammy White, Helen Land, Bertha Powell, Victor Adams, John Rutherford, Jack Doley, Kate McKenna, Norman Foster, Francis E. Mahoney and Ruth Rogers.

Norma Terris and Morgan, plus Sammy White, appeared in F. Ziegfeld's original New York production. Robinson also played the opera in N. Y., but in a revival.

Martin & Fabrizi, '13

Joshua Lewis, now in charge of Variety's London office, caught Martin and Fabrizi at the Union Square, New York, in July, 1913. His review of the act read:

"Young man and woman who are making an effort to break away from the old-and-dried routine of a mixed couple dancing turn. While not succeeding altogether, they are entitled to credit for trying. The work evokes the impression of violence rather than of grace. In an early spot they might do us a big bill."

Key characters in Martin Branner's cartoon strip are a mixed dance team, which, like Branner and Edith Fabrizi, are man and wife.

Odd War Slant To German Reels Shown in 'Waukee'

Milwaukee, May 1.

Spotting hot persons in newspapers has ceased to be news, but there is an unusual angle to the situation here where thousands of Germans have had their customary social communication with the fatherland almost completely covered by the European war and its aftermath. Particularly in the two theaters (Pala and Deutscher Film) regularly showing German news features, in conjunction with their German features, are the films watched avidly for some trace of loved ones who have not been heard from since the commencement of hostilities.

Hardly a performance passes in this city of large foreign population.

(Continued on page 51)

MUSE DIRECTS CANTOR'S B'WAY NEGRO MUSICAL

Hollywood, May 1. Clarence Muse landed a deal to direct 'Sweet Land of Liberty,' all-Negro musical to be produced by Eddie Cantor on the Broadway stage in autumn.

Ira Garbwin, E. T. Harburg and Harold Arlen are writing the show.

Franchot Tone Sheds Op: 'Column' Closing

Franchot Tone, featured in 'The Fifth Column,' Broadway, N. Y., will be operated on for a ruptured vocal chord, for which he has been under treatment for some weeks. He is able to talk his lines, but was out of several performances recently, including Monday (18) night.

'Sweet Land' is due in Hollywood for the filming of Paramount's 'Virginia' early in June. 'Column' will close next week (18). It is due to resume in the fall before going on tour.

Griffith Leaving 20th

Hollywood, May 1. Raymond Griffith steps out of his associate producer berth at 20th-Fox at the expiration of his contract in September.

Departure is in line with the recent reorganization of the production setup in Westwood.

L.A. PIX FANS TOO WISE—PASTERNAK

Anything Within 100-Mile Radius of Hollywood No Longer of Value, Says Universal Producer-Director

CITES REASONS

Hollywood, May 1.

The snail picture shown within a 100-mile radius of Hollywood has completely lost its value as groups of a picture's headliner tale, in the opinion of Joe Pasternak, Universal producer-director.

Reason is, says Pasternak, there are no longer any reaction-free audiences in the theatre and towns used for snails during the past years. Audiences within easy motor distance of the studios have all become 'spoiled' and professionally conditioned by the ever-increasing number of secret pre-showings still considered by many big and little production houses as a necessary preliminary before press preview and general release.

Snails taken to more remote places, Pasternak admits, still may have considerable value, especially showings of the more important and expensive pictures in stages of preparation where changes suggested by audience reactions may yet be made. Utterly futile and fatuous, he says, are the snails of the B product to which no changes are made or contemplated. Then it's merely a matter of the producer's vanity and the existing custom to take the picture out for a preliminary walk.

The film snail, Pasternak remarks, was adapted from the custom of the

(Continued on page 52)

New Miami Picture Studio to Also Have Radio Pickup Spot

Miami, May 1.

Pastoral new home of Colortone Pictures, Inc., now being remodeled as rental studios, provides for large broadcasting studio seating 1,500. Stage will be flanked by regulation fully built for control and guests, and provision is being made for future television installations.

Previously, agencies handling visual shows from here have had to make the pickups from some outlying theatre, University of Miami, or the Royal Palm Club. Dates have been difficult to close, and this together with limited seating capacity and a varied assortment of technical problems has proved a headache.

With studio available for next season, local C. of C. has started building Miami as winter radio center. Generally believed city publicity budget next year will provide more charges for any shows wanting to camp here.

Hattie McDaniel Faged By Pix, Cancels Vauders

Pittsburgh, May 1. Hattie McDaniel's booking at the Stanley Air week starting Friday (19) has been cancelled along with remaining dates on Academy winner's p.a. tour. Colored actress has been paged by 20th-Fox to return to Cal immediately for new film assignment and heads for Hollywood at end of current Chicago engagement.

She had been set for an additional four weeks. Up to late yesterday (18), Stanley de Luxer had been a replacement for Miss McDaniel in all-vander bill which will bring in Jack Dorset, Beverly Roberts and Vilma and Buddy Evers.

Critics and Pulitzer Committee Agree For 1st Time, Naming Saroyan's 'Life'

'Jerk' Ruled Out

NBC's continuity acceptance department has asked agency radio department to refrain if possible the inclusion of the word 'jerk' in their comedy scripts. What brought up the matter was the use of the word as a personal modifier ('Lugan Jerklike,' played by Charles Cantor) on the Jack Benny and Fred Allen programs.

Network has taken the attitude that while the word has lost its original connotation and has been accepted as everyday slang, it still sounded 'cheap' and its use ought to be kept from getting out of bounds on the air.

Epstein's 'Adam' An Alabaster B.O. Bust at 50c Top

Jacob Epstein's 'Adam—the ruggedly handsome—is disappointing as a h.a. draw in New York. The monumental piece of sculpture, currently in its third week on exhibition at the Fine Arts Gallery, is pulling in crowds that no way compare in size with the business the chunk of manliness did in a tour of England before it was brought to this country.

Its owner, John Herbert, an English businessman who acquired the statue entirely on his own as a potential h.a. attraction, it is feared will find little profit in the heavy investment of bringing the piece to this country. And that'll be true in spots unless police and censoring bodies in other cities let up in their determination to keep Adam out. Difficulty is being encountered in booking a tour with shows close enough together to make it profitable.

(Continued on page 52)

BLONDELL IN WOODS' COAST 'SEX HOLIDAY'

Los Angeles, May 1. Joan Blondell staged a deal to star in Al Woods' stage comedy, 'Sex Takes a Holiday,' which goes into rehearsal here Friday (18).

Show is slated for three one-nighters in California before hitting San Francisco, with Broadway as the ultimate aim.

Eddie Polo, of Silents, Now in Omaha Nitery

Omaha, May 1. Eddie Polo, one-time N.Y. silent man of the silent film, is working at the Truaxville, local nitery. They like his silent, low, and he's getting over on his own, because not everybody remembers his connection with pix, and continued from that angle is small.

CABOT KAYOED ON SET

McCoy Welcoming Pin, Used by Extras, Results in Scat Scuffles

Hollywood, May 1. Extra on the 'Captain Carter' set at the Hal Roach studios knocked Bruce Cabot cold yesterday (Monday) with a belting pin. He picked up the wrong one, grabbing the penny instead of the specially prepared prop.

Cabot went back to work after having his scalp stitched.

For the first time since they have competed in making biennial prize play awards, Broadway critics and the Pulitzer drama committee have been in agreement. Friday (2) the Critics Circle named 'The Time of Your Life,' by William Saroyan, as the winner, and the Pulitzer followed suit Monday (18). Winning author squeaked from the Coast that he wouldn't take the latter award (story in left column).

The dual selection came as a surprise, although it was known that some reviewers favored Saroyan because of his imaginative style. Young Californian's play made a fairly good play on Broadway, mostly at the Eltham, but was not among the actual winners. It was explained by the critics that their selection was based on what they considered the best written play of the season, not the best performed.

Circle was formed some years ago and was restricted to reviewers on the staff, with the membership later expanded to include some others. They didn't know what to do with the organization until it was suggested that the bunch make a best play selection. That came about because the Pulitzer awards seemed the wet, several plays of the day variety having been cited.

It is the purpose of the critics to make their selection some time in advance of the Pulitzer award, but held back this year in deference to Robert E. Sherwood's 'There Shall Be No Night' (Advin), and another

(Continued on page 40)

King Crosby Asks 21 Wk. Layoff to Inspect Horses in Argentina

King Crosby has asked for a 21-week layoff from his Kraft Music Hall program (NBC), but his chances of getting more than the 13 weeks provided for in his contract are negligible.

Crosby is going to spend most of his vacation in Argentina looking over racing horses but he would like enough additional time to visit other South American countries.



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Griffis Blasts U. S. for 'Harassing' The Film Biz at Its Direst Stage

Los Angeles, May 1.

For the first time in its history, the United States motion picture industry has been subjected to a sustained, organized attack by the House of Representatives, Chairman Griffith, in a series of hearings, on Monday (1) before a strong attack on the Government and other agencies that are harassing the picture business during critical times.

Speaking before the weekly meeting of Los Angeles business men at the Yarn Hall here, Griffith did not mince words, stating that the situation was "a very serious one" and that the Government is "harassing the picture business at its direst stage."

He added that the attack is coming just at the moment when the foreign situation has made the position of the film industry the most difficult in its history, ending up by making a plea before the L. A. big men for the continued independence of the nation's most widely-patronized art. In his role of New York financier and business man, the Paramount executive referred to himself as an organizer of art.

Even in Russia

Taking sharp issue with those who claim that Government regulation is the way to improve the quality of pictures, Griffith emphasized that the industry be permitted to solve its own problems from now on as it has in the past. Bringing in Soviet Russia, he declared that even over there a strong movement is in favor of freeing the arts from state interference and domination.

Griffith also said, in part:

"A great combination of art and business finds itself today beset on every side by attacks of local, state and Federal agencies, in the courts and on the legislature, harassed by such congressional bills as the New Deal bill, harassed and tormented by suits of the Department of Justice aimed toward forcing the major companies to separate themselves from production, were done by laws of every conceivable nature, inhibited and limited by almost 100 censor boards which have sprung up around the country; all at a time when an unprecedented collapse of foreign income is upon us due to the breakdown of foreign currencies and the great war."

"This is an industry, too, that consistently, even if not quietly, sticks to its knitting of furnishing amusement, laughter, entertainment and escape, spends its far-flung energy in making the world a happier place to live in; consistently endeavors to keep out of the field of politics and propaganda, although I sincerely believe that if the motion picture companies should so desire and would for the millionth time from this principle, within a very short time could influence public opinion to elect a Congress and a President; and probably has more influence on the lives of the younger generation—and this is a broad statement—than most of our schools and colleges put together."

"The industry's willingness and desire to rule its own evils is being continuously shown by the revision of its trade agreements and practices and by the constant development of many joints of its own ownership of its own productions as affecting public relations, public morals, business relations, types of advertising and its activities in every branch."

"It is a remarkable truth that perhaps this development is followed by the fact that as pictures become better they receive more intellectual and intelligent criticism and tend to create, not obscure, the growth of perfectionism."

Par's SHARPS

Griffith, who is also partner in Hengstler, Nepon & Co., Wall Street brokers, revealed that Par has done more than \$20,000,000 in financing in the past three or four years. He said that of this \$20,000,000 not a dollar has been through public financing and not a dollar has been paid to any broker or middleman.

"This financing has been done almost entirely through exchanges offered to its own security holders, through banks and insurance companies and in the process its average interest rates have been reduced from about 14% to about 10%."

(Continued on page 11)

Back to the Start

Hollywood, May 1. Metro backtracked 30 years to film a new "Blues Town" in an old refinery.

Hand-cracked cameras and old-fashioned reflectors replaced electrical equipment to eliminate the danger of fire.

N. W. FARMERS' UPPED BIZ OK NEWS FOR B.O.

Minneapolis, May 1.

Government figures showing a 40% increase in Minnesota and 35% gain in North Dakota farmers' cash income from the sale of their products in February, compared to the corresponding 1939 month, are heartening to the film trade here and are believed to forecast increasingly better theatre business throughout the territory which mainly is dependent upon agriculture's prosperity.

Parment by the Government to Minnesota farmers during the month—the latest for which figures have been compiled—were \$1,000,000, as against \$2,000,000 in the same 1939 month. North Dakota farmers received more than \$2,000,000, as compared with \$1,000,000 in 1939.

In towns throughout the territory, aside from the Twin Cities, local film exchange heads say that there has been a noticeable upturn in theatre business and most houses are playing in better shape than at the same time a year ago.

East's Optimistic Note

Los Angeles, May 1.

Los Angeles and San Francisco area theatre operators, who have been more or less hard hit during recent weeks by falling business, are somewhat heartened by reports of Federal Reserve Board showing a gradual upturn in general business conditions in California during April. In Los Angeles, department store sales showed a gain of 1% for the week ended April 26, as compared with 1% gain for the previous week. Retail sales in San Francisco jumped 1.5% during week of April 22, and smaller towns in both north and south California report similar increases.

Weather, Not Cal. Kind, Snacks Par in Budget

Hollywood, May 1.

Rain on the desert and snow in the hills pined up heavy additional costs on two Paramount productions.

Sam Wood and his "Rangers of Fortune" troupe were forced to return to the studio after several wet days on the Mojave. Harry Sherman lost two days on his "Three Men From Texas" at Lone Pine because of snow.

Steam Up for 'Santa Fe'

Hollywood, May 1.

Warner's high-budget western picture, "Santa Fe Trail," crosses up June 5 after Errol Flynn finishes his vacation. Currently Flynn is playing in "The Sea Hawk."

Michael Curtiz directs the country production.

Lift for Spigelgass

Hollywood, May 1.

Universal topped Leonard Spigelgass from writer to associate producer of "Rivers," which he and Charles Grayson are scripting.

Picture stars Ellen Jones, with music by Jerome Kern.

Necht and Ross West To Make Their Indies There

Ordinary of eastern production was written, at least for the time being, by the departure for the Coast during the past week of the two producers who had come closest to setting up shop in New York. Ben Necht left on Monday (1) to work out final arrangements for the use of the Columbia lot to make his "Before I Die," which Col will release, while Nat Ross, who also has a Col distribution deal, pulled out on Friday (3) in an attempt to make arrangements for a shift westward.

Lee Garmes, who recently completed "Beyond Tomorrow" for BCC and holds options to make two more, has also given up the idea he was entertaining of making them in New York. Banking difficulties caused him to move his first production to the Coast after plans were completed for working east, but he hadn't given up the idea of making the remaining two in New York until last week. Garmes was also to work with Necht.

GOLDWYN SEZ 'NO UA PEACE'

Surface indications of an impending peace between Samuel Goldwyn and United Artists were not borne out in interviews yesterday (Tuesday) with Goldwyn or his attorneys. That overtures had been made to him by UA was not denied by the producer, but he would make no comment on the pending lawsuit other than an unimpeachable "I take you to make a bargain."

Goldwyn said he felt it "undignified" to speak about the battle that has been going on for almost two years between him and the company of which he is one-fifth owner. He referred all questions to the office of his attorney, Max D. Streer, where it was declared that work is progressing night and day on the papers to carry the suit to trial. It was stated very definitely that there is no hint of tobacco being stuffed in a peace pipe.

Reports of a rapprochement are that Goldwyn will be allowed to withdraw from UA distribution upon his payment of cash for the stock he holds or that he will agree to deliver his product to UA for a specified term in return for being allowed to withdraw and hold his stock at the end of that time. Goldwyn arrived in New York Monday (1) in a manner that provided one of the surface indications of peace. It was not an airplane chartered with Alexander Korda, who is also a one-fifth owner of UA. The two men had not previously spoken to each other for almost two years. Reason for his coming to New York provides the other suspicion for a happy ending of the affair. He will attend both the New York and Chicago sales conventions of the company next week.

All the indications he will screen "The Wanderer." This is the only picture which UA is announcing by him for the 1940-41 season.

"The Wanderer" will be world-premiered in Fort Worth, Texas, June 23. Goldwyn announced, to open in two houses of the Interstate Circuit simultaneously, the Hollywood and World, and in a large number of theatres throughout the state the following day.

Other News Pertaining to Pictures

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Pre-Convention Script Buys Keep Story Market In Super-Active Stage

Fair Enough

Remember an Viceroy called Nat Roach yesterday (Tuesday) at his N. Y. hotel for an appointment upon the producer's first visit to New York in a year and a half.

Roach replied, "Sure, you can see me in half an hour at my office if you tell me where my office is."

ROACH TO STICK TO COMEDY HENCEFORTH

Nat Roach will stick entirely to the comedy field in the future, he said in New York yesterday (1). His entire lineup of six films for 1940-41 are in that classification, he declared, indicating that excursions into drama and other fields in the past had not always been as financially successful as he would have liked.

"I have been making comedies for years and that's my forte," he asserted. "We are producers when we stay out of that field. Comedy, too, has always been the dominant factor in the amusement business and there is far less risk of it now. We intend taking advantage of that situation in our coming season's program."

He would never have made "Miss and Mrs." except for extenuating circumstances in the fact he was engaged in a lawsuit with Lewis Milestone, the director, instead of letting the \$50,000 litigation go to trial and taking a good chance of losing it, he explained, he made the "Miss" deal with Milestone. Roach will be that he'll at least break even and perhaps make some money instead of paying off the director via the courts.

Roach, who was burned at United Artists when the opening of "Miss" was delayed at the Ritz, N. Y., because "Grapes of Wrath" was set to go into the Ritz, said he is still very much annoyed and thinks the company was less in not giving the Ritz the proper notice of availability of the picture. There is no thought, however, he said, of not continuing with UA when his current seven-year term expires in 1945.

He said also that he was desirous of obtaining some sub-producers to work under him similarly to the way John Ford is turning out "The Long Voyage Home" under Walter Wanger. He declared he had several men in mind and was negotiating with them for the time when their present commitments expire.

Roach arrived in New York Monday evening from Louisville, where he had attended the Kentucky Derby. He will remain for United Artists New York sales convention next week and also attend the company's Chicago meet for one day prior to returning to the Coast.

Doc Gammeli Back West

Dr. A. H. Gammeli, who came to New York to attend his first meeting as a member of the board of directors of Columbia last week, will head back to the Coast this weekend. Film financier was named to the Col. board about 40 days ago.

He also attended a meeting of the board of Selznick-International, of which he is a member. He took a part, it is understood, in discussion of a more efficient revision of the company's corporate and financial setup.

'Margin' Winds Up OK In Detroit at \$8,500

Detroit, May 1.

The season began rolling along here, with "Tobacco Road" having art. and into the Coast Sunday (3) at \$1.10 for matinees and \$1.20 nights.

With most of the lower down "Margin for Error" came off with a pretty good estimated \$1,000 last week. Matinees were weak, but the last nights finished strong. Top was \$128.

With studio trading in and pre-convention to their lists for announcement at conventions, story market has been in super-active state during the past week. There have been a number of important purchases of novels, while a host of additional deals are on the fire and will be closed within the next few days.

Twentieth-Fox has acquired "Wild Gene Calling" by Stewart Ekin and White for \$75,000. It's an American pioneer novel based on the penetration of Alaska. Paramount bought "Dido City" by Nelson Hayes, a lost novel by the author. It's the story of a brutal island in the West Indies. It was published about 19 weeks ago and was on the best-seller list for a time. Price is being closely guarded via an unusual agreement between all parties, but is believed to be around \$25,000.

Producers Corp. of America, recently organized indie with intention to make a series of films starring John Charles Thomas, purchased "Tramontana Rider," novel by Phil King for Thomas. Deal made by Nat Roach is based on percentage of the gross.

Republic, which has made several deals recently into the field of novel and plays heretofore reserved to the majors, bought "Moon Over Monterey Street," by William L. Buntin, a 1935-36 Broadway loser. Price was \$5,000. Rep had previously bought "Fame Witness," novel by Irving Stone, for \$25,000 and a short-story story from Collier's, "King, Queen, Plenty Hot," by Duane Dicker, for \$500.

On the verge of sale are "On Promised Land," by James Street, in which Par is showing great interest, and "Stars on the Sea," by Van Work Mason, which Metro is bidding for. Latter is not set to be published until May 28.

Metro's Jim Hogg Two

Dallas, May 1.

Metro at Dallas acquiring "Friedrich's Political," new time by William McGraw, former state attorney general, as possible basis of film of Jim Hogg, once picturesque governor of Texas. E. B. Coleman, local film representative, doing the dealing.

Dead Story Says

Hollywood, May 1.

Universal purchased "Unhappy Payments," by Eric Lomax and W. Scott Darling.

Fine Arts bought Arthur Hays Sulzberg, "A Letter From the President," William H. Wright and John Spinks with their yarn, "Transatlantic Clipper," to Paramount.

Republic acquired film rights to "Moby Dick," title of Gene Aulry's radio show, for an Aulry picture.

Mannix, Asher Decide To Clinger on Sat. (11)

Eddie Mannix, Metro's Coast managing director, and Irving Asher, a British producer for the company, plan to Clinger to Europe next Saturday (11) to survey production conditions in line with the new monetary quota rules. At first they intended sailing tomorrow (1) but shifted plans yesterday for the plane shoving off this weekend.

Mannix will handle with Ben Coetz, who is in charge of studio operations in London for Metro. Also the use of Robert Donat in "Jekyll and Hyde," which the company would make in England will be considered. "Thomas's Incident," Robert Montgomery starlet, is also reported nearly completed at the British studios.

It has been mentioned that Metro might abandon its production policy in England and simply purchase completed British features after they have been finished to fulfill company quota obligations. Decision likely will be reached after Mannix and Coetz go over actual conditions at the British plant.

Tram Anchors at 20th

Hollywood, May 1.

Shepherd Trumbo's first on a new director contract at 20th-Fox is "The Bride Wore Crutches."

Currently Trumbo is directing "Street of Memories" on a six-picture deal. He had previously been called Broadway playwright.

EXHIBS TOSS IT TO H'WOOD

U's Scully Scores Exhibs' Haphazard Showmanship and Juggling of Films

Exhibitors are pulling out pictures and substituting others which bring in 20% less gross just in the vague hope the second will do better than the first, William A. Scully, sales manager of Universal, declared last week when he visited the exhibitors during recent weeks on the outskirts of increasing producer income via longer runs.

Scully admitted there has been no response to date to the oft-repeated plea of exhibitors and producers for extended runs to help compensate for losses from foreign markets. He declared, however, that in his opinion there are great possibilities for lengthening players time if exhibitors use better judgment and stop changing bills merely for the sake of change.

Universal exec was just as outspoken about the negative attitude of many exhibitors on exploitation. It has been claimed that income to both the house and distributor could be increased by better exploitation, to which many exhibitors, particularly in later runs, have taken exception in the Scully's past.

"I turned off belittling about the fellow down the street getting the picture first," he asserted, "exhibitors would get off their seats and blink up some selling ideas, we'd all find a lot of our troubles vanishing. There's plenty more could be done than is being done to get the maximum out of every feature."

Scully said the matter of raising admissions was one for adjustment in individual situations. He declared that while prices might be too low in some spots, they might be too high in others and no generality could be made. Other production and distribution execs have urged higher rates to help compensate for design losses.

Other exhibitor opinion on extended runs, topped exhibitor and greater exploitation herewith.

NATE BLUMBERG'S BIG ADDITION OF U STOCK

Washington, May 7. Heavy buying of Universal Corp. stock during March was revealed last week by the Securities & Exchange Commission's report on insiders' transactions. Nathan J. Blumberg of New York cut the bank, picking up 14,380 voting trust certificates and pocketing 1,600. His net gain of \$300 mounted his holdings to 15,500 certificates plus warrants for 18,000 more. Payton G. Glick acquired 600 v.t.c.'s giving him 1,300 in addition to his stake in 24,500 held by Standard Capital Co., which also accounts for 11,300 warrants. Charles D. Postman of New York picked 1,500 certificates, making his total 4,800, and received 1,000 warrants from the firm "without charge."

Other film executives dealt over time. Charles C. Harkness of New York grabbed 300 shares of Loew's common, making his total 800, while Loew's picked up another 20 shares of Loew's Boston Theaters. The parent now holds 100,339 shares of the stock. Robert J. McKimsey of Jersey City acquired his first 11 shares of Pathe common.

Kramer's Prod. Lift

Hollywood, May 7. David Loew and Albert Levin used Stanley Kramer to production debut, with "Freaky" as his first assignment, handling the story and writing script.

"Freaky," now in preparation, was written by Erik Maria Remarque.

GARFIELD'S 'PATENT LEATHER'

Hollywood, May 7. John Garfield was the lead over George Raft for the lead in Warner Bros. "Patent Leather Kid."

Richard Barthelmess made it as a film.

Oceans to Order

Hollywood, May 7. Warner's private ocean is being traversed for two new tenants after housing "The Sea Hawk."

Studio geographers are reconstructing the bays and fjords to accommodate "Capt. Horatio Hornblower" and "John Paul Jones."

Bankers Trust (N.Y.) Financing Roach and Korda

New entry into the field of film financing is the Bankers Trust Co. of New York, which last week made a loan to Hal Roach. A previous loan was to Alexander Korda. The two are the first ventures of bankers in film production since early in 1933. Additional loans are expected to follow.

Equal partner of the bank in the two deals is the Security-First National Bank of Los Angeles. An official of the New York institution said that it had felt for some years that it didn't know enough about the film business to do any financing, but had been interested in the proposition by Security-First. Additional loans will be made as worthwhile prospects present themselves. It was said.

Roach loan will finance the studio's program of six features to be made at a total budget of \$2,000,000. No maximum figure is set in the contracts on the amount of cash to be outstanding at any one time, but it was said by the bank that it wouldn't be more than a portion of the \$2,000,000.

28-Week Loew's Net \$6,789,828 as Against \$6,368,847 a Year Ago

Loew's, Inc. net profits for the 28 weeks ending March 14 last totaled \$6,789,828 as against \$6,368,847 in like period of 1939, according to figures released by the company yesterday (Tuesday). After making preferred dividend distributions, this is equivalent of \$2.79 per common share as compared with \$2.58 a share in similar period in 1939. Company figured the 28-week earnings at equal to \$6.66 per preferred share as against \$6.18 in comparable period of 1939.

Loew's statement noted that the corporation has revised its table for amortizing film costs, this being applicable to all pictures released after Aug. 31, 1939. Company has reallocated such costs on the basis of 70% to domestic and 30% to foreign as against the previous respective allocation of 61% and 39%. Additionally, the company has accelerated the amortization rates.

As a result of such revision and reallocation, about \$853,000 more has been charged off to amortization expense for the 28-week period covered by the report than ordinarily would have been deducted.

Loew's actual earnings, before depreciation, taxes and reserves, but including its share of affiliated company profits after deduction of preferred dividends of subsidiaries, amounted to \$11,105,338 for the 28 weeks ending on the March 14 date as compared with \$10,514,528 for the same period of 1939.

MORE ON 'WHAT'S WRONG AT B.O.'

Start 'at Home,' Missing the Hollywood Source — Uping Admissions a Local Problem — Pros and Cons on Exploitation — 3d in Series

RENTALS; SALARIES

Exhibitors continue to lose the life of the film industry took into the lap of Hollywood in the third installment of a nationwide "what-can-be-done-to-improve-the-b.o." survey by VARIETY. Views and convictions of house operators are presented here with an issue of admission prices, extended runs, stopped up exploitation and other headline stimulants which have been suggested as counter-measures to offset the industry's loss in foreign film rental revenues, because of the European war.

It is an instant conclusion by any experienced showman who reads the cross-section of reports that a much more intimate knowledge of producing conditions is necessary throughout the trade before any unanimity of action towards improvement of domestic receipts may be expected by producer-distributors. The film exhibitor is inclined to regard his headline problem as something previous to his own particular situation, and not as part of a national industry income.

The suggestion made by exhibitors that the producers' financial remedy should begin "at home," that Hollywood should tackle its own budgets of expenditures before appealing to themselves for increased receipts, is repeated by managers in the current survey.

M. A. Lightman, one-time prez of MPTOA, and exhibitor-partner with Paramount, declares, in a dispatch from Memphis:

"It seems obvious to me that we ought to go to the source of this thing—production—and find the real trouble, which concerns the extravagant manner in which Hollywood makes pictures. Necessity is the mother of invention, and if the producers don't find other ways to meet the situation, they will have to clean house at home."

Extended runs for feature films are discussed from many angles. Exhibitors who operate first showings point out the hazard of extensive engagements beyond the profit point. Howard Foster, of Louisville, Ky., declares that prolonging any engagements of other than outstanding "A" films is to lose in the second week the profit garnered in the first.

To what extent lengthened first-run effort subsequently is debated by several exhibitors. John H. Harris, operator of first-run in Pittsburgh, declares that extra first-run playing time does not hurt grosses at second and third runs. Harry Kaliner, WH executive in the same city, cites added prestige as a bonus film carries into subsequent runs after an extended opening engagement.

"Gone" Sets a Vogue Country-wide upping of admission prices on "Gone With the Wind" has stirred exhibitors with the possibility of repeating the admission jump several times yearly, provided they have unusual attractions to offer their patrons. Again it was pointed out that the consistency of the Metro policy in establishing and maintaining a definite price of the movie, and \$1.15 rights, is a strong factor in the success of "Gone" at advanced admissions.

From Anderson, Ind., comes a discouraging note in the admission issue. Exhibitor states: "There's very small possibility of raising admissions here. Our l.c. up just now's dead a hole."

Eddie Bauer, of Minneapolis, is a believer in similar explanation. (Continued on page 18)

Goldwyn Advocates H'wood Cut From 600 to 150 Pix. All Quality Product and Get More at the B. O.

Tide of Misfortune

Hollywood, May 7. Ebb and flow of the tide of fortune in the film industry had another shining example this week.

One-time millionaire producer has applied for an end-of-pension from the federal government.

Par's 12,000 Pix Contracts For '39-40, New High

With the highest number of film contracts in its files on 1939-40 product that it has ever had, economic effect in all branches of its world-wide operations and its theatre circuit vastly improved, Paramount execs emphasize that the company is in the best condition it has been since depression. In the past three years under the administration of Barney Balaban, who was brought in from Chicago as president shortly after reorganization, the company has shown a net profit of \$14,626,722. This included \$6,678,101 for 1937 (last year for the film business since depression); \$4,105,673 for 1938; and \$3,874,948 for 1939. The Par sales organization this year brought in over 12,000 contracts for the best coverage of its product that it has ever had. This is within 1,000 of the total number of contracts in the whole country.

The theatre circuit has seen important economic placed into effect, and studio units are now being brought within the best possible control without jeopardizing quality of product.

Trumbo Gets Pat From Court for Paying Off, Scorning Bankruptcy

Los Angeles, May 7. Old Man Higgins, if he were still hunting an honest man, could find him today in Hollywood, take it from Hugh Dickson, U. S. referee in bankruptcy. The upright referee is Dalton Trumbo, screen writer and author of the novel, "Johnny Got His Gun."

Two years ago Trumbo was \$12,000 in debt, and his creditors were growing impatient. Seeking the loophole of bankruptcy, he asked the U. S. court for time to pay, and did so well that he overpaid \$87. The other day the referee mailed him a check for that amount and called him "an outstanding example of honesty."

On the same day, Trumbo went back to work at RKO after a 20-day suspension from the payroll for refusal to accept writing assignments. Scripter had been finding with the studio over the quality of the stories handed him.

Stevens Tags On to Col.

Hollywood, May 7. Columbia signed George Stevens to an exclusive contract as producer-director. First picture on his list is Louis Brundage's "New Orleans" starring Jean Arthur.

Stevens recently obtained a release from his RKO pact, which had been several months in go.

Reduction of the number of pictures turned out by Hollywood from 600 to 150 was advocated by Samuel Goldwyn yesterday (Tuesday). He declared the same amount of money should be spent on the 150 as on the 600, eliminating the cheapies.

Producers declared that by eliminating blockbooking and selling films separately with picture would get sufficient playing time and proper selling by exhibitors to make it possible to get profits out of the American market alone.

Action must be taken at once, too, he warned, or "they are going to start making payrolls in Hollywood."

Goldwyn also decried dishonesty in picture advertising as one of the causes of a slump of \$1,000,000 a week in theatre attendance. "Latter figure," he said, "was from private sources. Advertising of every picture as a super-hit, he said, has undermined confidence of the public, by making only 150 films they could be made to live up to the billing, he inferred. He also advocated raising admissions for certain pictures which merit it, declaring the public has demonstrated it will pay more for better films."

Single, double, double and triple features and lengthy trailers were also pointed out as injuring the business. "By the time they get to the principal feature," Goldwyn said, "the audience is so tired that nothing would look good to them. As a result they stay home and listen to the radio."

Another idea tossed out by the United Artists writer-producer is that there is room for the little fellow in picture-making, but the big fellow shouldn't be in competition with him. One should make minor films and the other the biggies.

Despite his favor for abolishing blockbooking, he expressed himself vehemently against the Moley bill. Syncope clause would make production impossible, he asserted, as "stories are rewritten, not written."

HAWKS-COLMAN INDIE PRODUCTIONS VIA RKO

Hollywood, May 7. William Hawks has withdrawn from the Hawks-Volk agency to head his own production outfit, United Producers Corp., and will produce 10 pictures for RKO release. Donald Colman will be starred in five.

Distribution deal signed by George J. Schaefer for RKO calls for a three-year spread of the 10 pix.

George Schaefer on Coast Announces 46-52 RKO Pix

Hollywood, May 7. RKO will have from 46 to 52 pictures on its 1940-41 slate, says George J. Schaefer declared yesterday (Monday) on his arrival here. He was accompanied by Ned Depinet, sales chief, and E. Barrett McCormick, pub-ad head. They're building with studio execs on the product and budgets.

Low-cost pictures will be held at a minimum, Schaefer said, with emphasis on high-budgeted pictures. Schaefer and Depinet train back east Friday (18) to prepare the product announcement for the sales convention.

Dietz Back East

Howard Dietz returned to New York yesterday (Tuesday).

He had been at the studio a week considering an campaign for summer and fall Metro releases.

Method of Procedure In U. S. Suit Detailed; Will Carry the Trial From June (Philly Phase) Into Next Jan.

Actual presentation of the Government's summary charges against the major film companies in the trial due to start June 3 has been somewhat distant to date. However, it has been learned that the following procedure will be used in all probability:

On opening day, and for the balance of the week, opening statements showing the position taken by the U. S. and the defendants will occupy all the time. For the Government it is expected that Paul Williams, special assistant to the attorney-general in charge of the prosecution, will do most of the talking, but it is becoming increasingly obvious that Robert Jackson, attorney-general, and Thurman Arnold, his "trust-buster," will also be in court that week to give trial Judge Henry Warren Goddard a clear picture of the Department of Justice's position.

For the defendants John W. Davis will speak for Loew's, William J. Donovan for RKO, ex-Judge Thomas D. Thacher for Paramount, Louis D. Fritsch for Columbia, Edward C. Rafferty for Universal and United Artists, Ralph G. Harris for M-G-M, and ex-Judge Joseph M. Prosser for Warners.

Present Philly Situation

Upon completion of the first week of presentation, the Government will have opened attorney Seymour Kravitz present the clearance situation in Philadelphia, part of New Jersey, and part of Connecticut to the judge. These territories have been chosen as the first for the U. S. for a two-fold reason. In the beginning of the trial the judge cannot be expected to know much about the business itself, and in order to introduce clearance to him, it will be necessary to present a not too complicated situation. Should New York be chosen, the judge might become confused over the issue, as both Loew's and RKO operate in N. Y., while in Philadelphia only Warners predominates. The second reason is that Philly is an Allied stronghold, and of all the independents, that organization has worked closest with the Government.

Under ordinary circumstances the presentation of 11 witnesses' testimony should not take more than two weeks, but with the tempestuous bickering that will develop over terms, a full month can be expected. This should bring the trial up to Aug. 1, when sources close to the judge declare he will adjourn for a two-month vacation. In October, when the trial will resume, the N. Y. situation, together with the balance of New Jersey and Connecticut, will be presented by Wm. F. Farnsworth, head of the N. Y. prosecution staff of the Government. In December, Kravitz will then present the New England situation, and in January the central states, with Chicago as the mainstay, will be presented by special assistant to the attorney-general, Robert L. Wright.

On Monday (8), the Government prosecution staff arrived in N. Y. to prepare for trial. They are Paul Williams, Robert L. Wright, John F. Chagoff, J. Stephen Doyle, James Hayes, James Maffey, Seymour Kravitz and J. Frank Cunningham. William Farnsworth remains in charge of the N. Y. office.

E. S. Hoover Pled

Wednesday (1) saw Howard Lester, operator of the Rialto, Paterson, N. J., a third-eye hawk, as the last of the Government witnesses to be examined by defense counsel. The examination, which heretofore had been very dull, took on a more colorful hue, and for the first time the prosecution and defense counsel, who had been on friendly enemy terms, clashed. Farnsworth, who had been sitting in for the Government, accused Lester of putting an axe in the witness' mouth. The question dealt with whether Lester was satisfied with the clearance he was getting. The answer was yes, and then Farnsworth avoided. After the battle, the U. S. attorney emerged victorious when Lester changed his testimony to read that he was satisfied because he had to be satisfied with it.

Lester's complaints are twofold. First, that he objects to the clearance given the Rialto, a 1,500-seater (this is 500), and secondly to the fact that Warners refused to sell him the full end of the 1935-36 product unless he

(Continued on page 12)

Sheridan, Cagney In WB's 'Conquest' Leads

Hollywood, May 7. Top feature role in Warners' 'City for Conquest,' originally considered for Bette Davis, goes to Ann Sheridan, with James Cagney as the male star.

Associate Lithra, director, and John Wesley, scripter, are in New York consulting background data.

Gold, Schlaifer UA Sales Setup To Stand as Is

Apparently intent to change his mind by premature publicity on his decision, Murray Silverstone, United Artists chief, announced yesterday (Tuesday) that there will be no switch in the dual executive setup in the company's sales department.

At a unique bedside conference in his apartment, to which the trade press was summoned in addition to the two sales chiefs and the three top execs of the publicity-advertising-exploitation department, Silverstone affirmed that Jack Schlaifer and Harry Gold would continue to share supervision of sales.

Greenblatt's Bullyboy

UA head also took the occasion to announce that Monroe Greenblatt, exploitation division top, has been chosen to head the staff of its permanent field exploitation man who will begin to function throughout the country on June 1. This will entail no shift in the present setup, Greenblatt merely adding the new duties. No other reform was made in UA's present push-out setup.

Unusual on-the-spot press confab was prompted by reports that Gold would shortly get the call over Schlaifer to head the sales department. That the decision to allow the present situation to stand results from a change of mind is evident from the fact that one of the five owners of UA last week told Vaguet that in a consultation with Silverstone six weeks ago he had told Gold he was to get the post.

Silverstone has been backed since his return from a quickie visit to the Coast on Monday (8). He apparently conducted a form of morale-building on the train.

The UA chief also revealed yesterday that a "terrible sum" has been appropriated for advertising and exploitation next season and would be consumed at the sales conventions which begin next Monday (12).

SCALDING, SHOOTING IN SEATTLE UNION ROW

Seattle, May 7. Suffering from burns which he received when scalding water was poured on him from above, J. M. Hallway, member of the Motion Picture Operators' Union, was treated at local hospital. Earl Gray, business mgr. of the Theatrical Stage Employees' Union, reported the incident to the sheriff's office and also was on Saturday eve when a bullet was fired through the rear of a union sound truck operating in the same area in the city. Steve Kirk, driver of the car, was not hit.

The hand-to-hand Hallway was bandaged but was in connection with union controversy with the theatre. Soundtrack was also used for this purpose. Theatre a safe house.

Song Title Becomes A Picture at 20th-Fox

Hollywood, May 7. 'Song of the Islands' is slated as a Technicolor picture at M-G-M for summer production, with a location company in Hawaii for authentic scenes.

Director is Wallace Lang.

RCA 3-MO. NET, 60% AHEAD OF LAST YEAR

First quarter net profits of \$2,312,000 as compared with \$1,448,110 in the initial quarter last year were revealed by David Barnoff, president of Radio Corporation of America, in his speech to stockholders at the annual meeting held yesterday (Tuesday). This is a 60% improvement over 1939.

Fact that gross income from operations rose more than \$2,000,000 in the quarter ended last March 31 as compared with first three months last year. Earnings were equal to the net income after paying \$204,228 in preferred dividends for the quarter.

Radio's \$25,000 Net. Radio Film Corp. showed net profits of \$25,000 for the first three months ending March 31, as against \$2,500 in the first quarter of 1939. Corporation, which now is a holding company, received \$25,000 in dividends from the Radio Film Mfg. Corp. in the three-month period, representing its sole income. Operating expenses amounted to only \$4,500, remaining deductions being for Federal taxes.

Company noted that the Radio had a net profit of \$412,500 in the first three months this year as against \$100,751 in the corresponding period of 1939. It also revealed that Radio's common stock interest in this net for the initial quarter amounted to \$154,250 and that \$123,332 was undistributed.

Two Suits for 600G Charge RKO Fished Yarns for 'Carefree'

Los Angeles, May 7. RKO has two plagiarism suits on its hands, both involving the same picture, 'Carefree,' which starred Ginger Rogers and Fred Astaire.

Charles Hanson, 3rd Rabbit, and Joseph Kahnman, demand \$100,000, charging that the picture was lifted from their yarn, 'Love On a Jet, or Doctor's Orders.' Edna E. Jolyn claims the film was based on her story, 'Hypnotized,' and wants \$200,000.

Wallace Milam, writer, filed a \$1,000,000 piracy suit against Warners, charging the picture, 'Angels With Their Faces,' was lifted from his own story, 'The Theatre Is the Kingdom.'

Plaintiff asserts his yarn was rejected after the studio had held it several weeks. In addition to \$1,000,000 damages, he demands an accounting of profits and an injunction restraining the company from further distribution of the picture pending final disposition of the suit.

MIAMI THEATRE RIVALS MAY POOL AT BEACH

E. A. Lynch and Mitchell Wolfson, both of Miami and in opposition to each other in that region, were in New York last week conferring with Paramount executives on the building of a theatre at Miami Beach which would be a three-way partnership. Following the luncheon, Lynch left for Los Angeles Friday night (7) and shortly will call for Honolulu on a vacation. Planned Miami Beach theatre will be on Lincoln road.

Lynch operates the Par group in Miami under a management deal, while Wolfson is one of the owners of the Wometex circuit in the south of Florida.

Australia New Wants Variety Club Charter

Pittsburgh, May 7. Variety Club will shortly take an international aspect, with contemplated granting of a charter to a group in Australia. John H. Harris, national proxy of organization, was petitioned last week for permission to launch a chapter in Sydney. Petitioner was Harry Hunter, formerly with Fox in Washington, D. C., and presently same company's representative in the Antipodes.

Vote of theatrical organization's board of directors is necessary, but Harris indicated the charter request was being looked favorably upon. Understood that Hollywood has will be organized man, with an eye on the 1942 national convention, which it is to be held on the Coast.

Landis vs. WB in Philly Friday (10) May Be 'Roadshow' of U.S. vs. Pix Biz

Hope Manning Chirps With Thomas in Film

Hollywood, May 7. Hope Manning gets the lyric soprano role opposite John Charles Thomas in the musical picture, 'Kismet,' to be made by Producers Corp. of America.

Miss Manning, who is 19, came here from New York to sing with Thomas in the stage operetta, 'Pioneers,' May 20.

Theatre Men To Acts vs. Churches On Bingo Bans

Milwaukee, May 7.

Theatre owners who obtained a Wisconsin supreme court decision banning bingo made good their threat to take action against churches that persisted in ignoring the law by starting suit this week in circuit court against the American Lutheran Assn. Judge John C. Kleckla set May 18 as the date for the church organization to show cause why an injunction should not be issued to halt its games in defiance of state anti-gambling laws.

Plaintiff in the action is Charles W. Tromp, president of Film Service, Inc., and distributor for Monogram pictures, who also was front man in the earlier bingo litigation.

Banks Bailed Out in Montana

Montana, Mont., May 7. Montana supreme court has ruled 'bank night.' In its decision the state's highest court held that the giveaway, as practiced by theaters, violates the Montana lottery statutes.

Edward Dummitt, prosecutor for Montana county, started the attack on banks when he took office a year and a half ago. Dummitt is the Montana county officer who caused the arrest of Gene Buck, ASCAP pres. in Arizona recently at the instigation of local broadcasters. The warrant was ordered vacated by the Arizona governor.

DAVE CHATKIN MAY TRY PRODUCING ON COAST

A further invasion of the production field by theatre operators may be made with Dave Chatkin, who left for the Coast Monday (4), accompanied by Mrs. Chatkin. While reported that a deal has been completed under which he would produce for Columbia, Chatkin denied this prior to departure but admitted that there has been some talk in that direction. Jack Cohn stated he had not heard Chatkin would join the company and Harry Cohn, on the Coast, similarly denied there were any negotiations.

Chatkin is part-owner and vice-president of Monarch Theatres, operating six theatres in Ohio, Pennsylvania and Indiana. Harry Katz, Sam's brother, is president, and with Chatkin has been running the Monarch chain from New York. Milton Feld, formerly associated with Monarch, went into the production field about three years ago, first with M-G-M-Pix. He is now executive assistant to CINE Work at the U studio.

Men from exhibition now holding high posts in Hollywood in addition to Feld and some others include Y. Frank Freeman, Nate Shumberg, Cliff Work. A recent recruit is Jules Levy, who operated theatres in past years, and when he resigned from RKO last fall was general sales manager.

Steffes Stricken Again

Minneapolis, May 7. President W. A. Steffes of North-west Allied is in Abbott Hospital here following another heart attack. He only recently was released from a Washington, D. C., hospital after lengthy treatment for same ailment.

Philadelphia, May 7.

A Philly 'roadshowing' of the Federal anti-trust suit will be held long in U. S. District Court when the argument of the Landis theatre case on the Stanley-Warner chain and the major districts opens on Friday (10). The trial is expected to last a month, with the entire controversy between the Warner circuit and the indie getting an airing.

Reports were received last week that an out-of-court settlement was being held out for both sides decided it. The hearing was scheduled to begin today (Thurs.) but Judge William H. Kirkpatrick granted a short postponement because State Senator Harry Shapiro, Landis counsel, was called to Harrisburg to opening of special legislative session.

The Landis case is being watched by the entire film industry. It was the first case in which an indie exhibitor was granted an injunction against the majors, but this restraining order was voided last Feb. 12 to the U. S. Circuit Court of Appeals, which sent the case back to Judge Kirkpatrick for final hearing.

The Landis is in Vineland, N. J., owned by a syndicate which includes William Giffone, Mayor of the town. The defendants are Warner Bros. Pictures, Warner Bros. Circuit Management, WB Theatres of New Jersey, Warner Bros. Theatres of Kentucky, Vitaphone, Paramount, RKO, Loew's, M-G-M, Columbia, Universal and United Artists.

WB Switches to Two Regional Sales Convs. In Pitt and Chicago

Originally planning a national sales convention to be held in Washington June 10-11-12, Warner Bros. has switched plans and following several battles on the matter the last few days, has decided to have two regional ones instead.

First will be at Pittsburgh June 11-12-13, the second at Chicago June 17-18-19. District, branch and theatre managers from the east will attend in Pitt with Roy Haines, district manager in charge, while the Chi team will be for the western-southern forces under Ben Kalmanowicz.

Graduated and other top executives of WB will look in on both regional ones.

Official reasons given for taking Washington as a national sales point were "practicability and economy."

COURT CONFIRMS GN SALE OF ITS ASSETS

Formal end to the month-long fight of Gustav DeLamora, unsuccessful bidder for the assets of Grand National Pictures to have new bidding on the property, came to a resolution yesterday (Thurs.) when Judge Vincent L. Lombardi in N. Y. denied the plea and upheld the sale. The property was sold to Minsk Pictures Corp. for \$17,500, plus 25% of the receipts up to \$100,000 and 10% over that amount.

Joseph Dannenberg, attorney for the trustee, had informed the court that it was his belief the film would gross \$100,000, giving the trustee an additional \$10,000-\$20,000. DeLamora had bid an outright \$27,500 for the property, but the creditors committee had voted to accept the present bid.

Studio Contracts

Hollywood, May 7.

Kathryn Adams drew a photo contract at Universal.

Metro handed Glenn Powell a new five-year ticket.

Marjorie Cudley inked a photo pact at Columbia.

Mary Howard was signed to a writing deal by Metro.

Ann Southern's option bought by Metro.

Paramount signed Florence Harrison to an actor contract.

M-G-M renewed Travis Banton's designer.

Warner's closed three-picture deal with Thomas Mitchell.

NO FILIBUSTERING NEELY

Detroit's Ban on 'Cargo,' 'Primrose' A Bonanza for Windsor (Ont.) Exhib

Detroit, May 7.

On his first air plug over CKLW that he was showing "Strange Cargo," based in Detroit, in his Capitol Theatre in Windsor, Ont., just across the river, Simon Meretsky made the telephone exchange switchboard light up like a Christmas tree. He had in view at the telephone for less than 200 consecutive calls, with plenty getting tired and dropping off along the way, to answer all the questions from Detroit on the showing.

Such sustained interest from across the border on the broadcast roused him to advertise his picture, ruled out by the Detroit police department, in the Detroit newspapers and add to the interest aroused by the ownership which had received a liberal publicity in the press. He estimated that from the combined air and newspaper plugging, Detroiters were going to compare two-thirds of his audience when "Strange Cargo" went on the screen May 8. He thinks a 2,100-seat, in the biggest in Windsor and he conservatively estimated that more than 15,000 Detroiters would come across the border to see the banned picture.

What's more, Meretsky, unless he decides to extend the run of "Strange Cargo," is looking gleefully ahead to May 11. That's the day he is going to open with "Primrose Path," the other picture banned in Detroit and which has received even a more favorable press. He is planning to send invitations to the Detroit censors for their good judgment but more for dragging better than 40,000 customers his way because of the censorship.

Picket 'Cargo' at Theatre

Windsor, La., May 7.

Pickets in front of the Bijou late Saturday (4) protested "Strange Cargo" (M-G) as "indecent". Film was sealed as indecent from church pulpits.

Pix Last Stand

Continued from page 1.

anti-filibustering bill and the newly introduced measure to compel divestment of studio ownerships by film companies (18), and with the impending anti-trust trial scheduled to start in New York on June 2, a small group of prominent film men, interested in independent production, distribution and exhibition are considering united action in a last effort to reform the industry from destructive forces, so-called.

Proponents of a plan for round-table discussion are feeling out some of the top executives of the larger companies for co-operation, advice and leadership. There is practical recognition of the difficulties which might be encountered, but the possible rebuffs from some industry interests are discounted against the prospects of major readjustments which appear on the horizon unless the control of industry affairs is protected against interference from outside.

Unless some active agency is set up even on a temporary basis, as a forum for discussion of industry problems which affect not only major interests but every film activity, however far removed from current alignments, there prevails the conviction that the industry is heading for Government control of its operations.

Primary issues for pensionable outlook are the sharp and bitter lines of factional differences, within the organized industry, which through the past four or five years have extended controversies, salary industrial, into pressure groups which have translated business practices into moral equations.

It will be the purpose of the proceedings of the conference of 1940 to drive vigorously to reconcile warring internal factions. Effort will be made to demonstrate to dissenters of all groups that by precluding disputes and carrying issues to leg-

Veidt on Korda Roster

Hollywood, May 7.

Conrad Veidt, who has been acting in England for several years, is on his way to Hollywood to join Alexander Korda's outfit for two pictures.

Meanwhile Korda starts shooting in the Grand Canyon on footage needed to complete "The Thief of Bagdad," which was interrupted by the war.

WB-MUSICIANS STALEMATED IN PHILLY

Philadelphia, May 7.

Hopes for an early settlement of the differences between the Stanley-Warner circuit and Local 77, American Federation of Musicians, appear dim here despite intervention of a federal mediator. The arbitrator, Thomas J. Williams, of the U. S. Department of Labor, held meetings last week with officials of the union and the chain and reported that neither side appeared willing to concede from their respective positions.

The mediator said he expected to have another meeting this week with Frank Phelps, Stanley-Warner, labor expert.

Local S-W officials declared it was impossible, in view of existing conditions, to give in to the demands of the Musicians' Union. The circuit's 6-11-11 heads at the Earle, Fox and six other live music acts when the union wanted a new contract at the same terms.

"As much as we would like to see vaudeville return to the Earle, we cannot buy music for spots where we have no use for it," Ted Schlager, Philly S-W boss, said. "With our expenses rising and our income dropping we no longer have the money to carry such a burden."

It was reported that Warners was willing to return music to the Earle, the Stanley, Camden, and one other. The union is holding up for at least three more talks.

In the meantime officials of the local passed a resolution reflecting their confidence in the leadership of national president Joseph H. Weber. "We know that whatever action Mr. Weber has taken has been for the best interests of the members of our union," the officials said.

They repudiated reports that they had renounced Weider's recent action of rounding a road call to prohibition. The local's officials made it clear that they did not approve and were not responsible for the statements of disgruntled members.

Extras' Earnings Down \$300,000 First 4 Mos.

Hollywood, May 7.

Film extras earned \$200,000 less in first four months this year than corresponding period last year. Central Casting handled 61,300 calls for that period, which is 24,000 fewer jobs than first four months last year and 42,800 under 1937.

Earnings totaled around \$100,000 against better than \$1,000,000 in comparative periods.

Industry and quasi-public pressure, the industry is being made a fool of.

Speakersman declares it is not too late for any constructive movement within the industry to make its influence felt on the unheeded legislative and legal front.

BIG BATTLE STARTS MON.

Early Test of the Blackbuck-
ing Bill at Bat After Being
18 Months in the Hopper

CHURCH SUPPORT

Washington, May 7.

Early test of sentiment over the Senate-approved Neely blackbucking bill is expected when the House Interstate Commerce Committee starts hearings Monday (12) after sitting on the reform legislation for 18 months. Tug-of-war between the majors and the independent exhibition-civic organization now is likely to result in decisive test already being plotted.

Clear indication of the prospects for House consideration is expected when an attempt is made to shut off the flow of salary at the hearings. Application of a gag-rule to witnesses for both sides will be demanded if fees persist with plans to present a parade of speakers in an attempt to talk the measure to death. It's a race against time, with the opponents of the Neely proposal still having the upper hand.

Both sides are ready for the vital debate, first in the House since a subcommittee in 1937 having the bill sponsored by Representative Wright Patman, but are nervous about their strategy. Final arrangements for the participants will be worked out Saturday (11) when the Allied States Association directors meet here to list the order in which it will present witnesses, while the industry schedule is being fixed up at the moment in the local office of the Motion Picture Producers & Distributors of America, Inc. Charles C. Fortin, general counsel for the film organization, arrived Monday (8) to handle with Congressional pals and industry associates.

Realizing the grave danger that their pet scheme will be lost in the adjournment rush, the Allied crowd intends to hold its testimony to a minimum and is urging their non-industry colleagues—the educators, religious leaders and women's groups—to prove the list of witnesses.

30-Minute Rule to Curb Gag May Be In Effect

If the industry tries to drag out the proceedings by repetition statements and headline-hunting tactics, moves will be made to curtail the hearings. Talk is heard that a 30-minute rule may be suggested, with persons desiring only to emphasize points previously made by opposition speakers barred to submit their views in written statements for inclusion in the printed report.

Although the House committee always has been hostile and several California members have been diligently spreading arguments against the measure, proponents of the Neely idea feel their chances are somewhat better than before, despite the nearness to the end of the session.

Opinion grows largely from the recent entry into the campaign of religious groups allied to the past. Notable recruits are the board of education of the Presbyterian Church—whose presence is expected to partly nullify the influence of W. H. Hays, ally of the Protestant denomination—and the General Alliance of Unitarian and Other Christian Women. Since the Senate passed the measure, Allied has won over a potent ally in the Association of Editors of Protestant Publications, who were convinced by Abram F. Myers, the Allied counsel and board chairman, to launch an editorial campaign against the industry's established distribution system.

Preliminary moves already have been made by both sides. In ex-

Writers and Studios in Standoff; Bargaining for New Contract To Start Friday (10); Wage Haggles

Sequel to 'Gone'?

Attempt is being made to build up a screenplay story to "Gone With the Wind" a southern historical novel of the same period which will be published in August as the 25th anniversary issue of Knopf. It's titled "Foundations Stone." Author is Lella Warren.

Like "Gone," the book will run over 1,000 pages and took seven years to write. It traces the movement of a southern family westward, ending with the Civil War. Studios have all expressed an interest in producing it.

PAR PROD. AT 6-YEAR HIGH; U'S 7 SET

Hollywood, May 7.

Harvest May production schedule in six years is under way at Paramount, with 43 pictures in the writing, shooting and editing stages. Seven films are before the cameras, three are ready to start, six are in the cutting rooms and 27 more are being scripted.

Universal rolls seven new pictures in 10 days, beginning today (Tues.) with "A Modern Mania Crises." Other starring stars are: "Nightly Tempted," May 8; "Junior O-Man," a serial, and "The Nobody's Sweetheart," May 8; "Spring Parade" and "When the Dillies Bide," May 12; "Argentine Nights," May 13.

JACOBI CHALLENGING GEO. BROWNE'S RULE

Candidacy of Vincent Jacobi, business manager of the New York stagehands, Theatrical Protective Union No. 1, for the presidency of the IATSE at latter's convention in Louisville in June, is viewed within trade circles as a possible forerunner of a compromise placing him on the slate as a v.p.

Meanwhile, Jacobi is seeking reelection at his agent of the New York stagehands at the election to be held Sunday night (12) in New York. It is regarded as a possibility that he may withdraw from that at the last minute in the event of being promised a place on the IATSE ballot, in announcing his candidacy for president of the IATSE, Jacobi announced he is challenging the rule of George E. Browne.

Robert A. Smith, of the IATSE, N. Y., is favored for reelection as president of No. 1. Jacobi is not with per theatre, being a paid official at union's big agent.

Harry L. Aldrich is running for president's chair at well. Other candidates are Louis Towner, Thomas McGovern and Edward Flynn for vice-president. John C. McInerney and Joseph Nolan for recording secretary.

More Sports Shorts From Frazier at WB

Hollywood, May 7.

Warners bought Del Frazier's option as a producer-director of outdoor shorts. Deal calls for a new series for the WB-41 program.

Frazier's latest production was "Diary of a Racing Pig," now ready for release. His next is "Ty Corning," featuring Dick Miller, world champion, who is working without pay to protect his amateur standing.

Hollywood, May 7.

With film writers still insisting on ownership of material written during layoff periods unless continued on salary, the Screen Writers Guild goes into a new battle with the producers on Friday (12). Both groups, tired of two years of unsuccessful negotiations, are now more inclined to give and take in an effort to agree on a contract. But each side still is demanding certain concessions that may make it difficult to negotiate a deal.

The two major points that may stand in the way of a quick agreement are layoff periods and length of the contract to be signed. The writers are willing to make certain concessions on the first issue, but want to be paid during layoff periods if ownership of material turned out during those times reverts to the studios. They are willing to waive claim to all rights if paid and to give the producers first option on any material if they do not receive pay. Meanwhile, the SWG has extended the studios were entitled only to picture rights of story material, even if the writers were paid during layoff periods.

The question of the length of contract to be adopted may prove more difficult. The producers some time ago offered a seven-year agreement and there was an indication they would agree to this in five years. The SWG asked for a one-year pact, but finally agreed to give for three and a half years. Talk of a one-year contract has been revived, but the majority probably would jump at a three-year deal provided they were able to agree on what should be incorporated in it.

The SWG has tentatively decided to ask for a 10% Guild show, but this probably is better based in for trading purposes. With cancellation of the Screen Players' contract, the SWG was left without assistance in the major studios. The SWG now arbitrates all screen star credits and unless a writer is affiliated with the organization he is without representation if he happens to arrive in a dispute with studio executives. No difficulty is expected on this point.

Can't Agree on Fees

The low-bracket writers are insisting that the SWG ask for a minimum wage, but there is considerable difference of opinion as to what this should be. A proposal to ask for a minimum for beginners and another for experienced writers is understood to have been abandoned. Present indications are that the writers will ask for a minimum of \$100 or \$125 a week with the idea of dropping it to \$125 or \$150 if necessary to gain other concessions. This figure, however, may be upset by the general membership at its meeting tomorrow (Wed.).

Pepper Martin Gilbert has been designated to head the SWG negotiating committee. Other members are Charles Brackett, who was active during the Screen negotiations, Sidney Buchman, and attorney Leonard S. Jacobson. With Buchman in the post, Dave Siskin was named as an alternate to sit with the negotiating committee.

Attorney M. N. Silberberg will head the producers' unit. Other members are yet to be named, but the chances are that most of the big studios for the producers will be handled by attorneys.

Every film writer on the Coast, including non-Guilders, has been given an opportunity to state what he thinks should be incorporated in a writer contract. Scores of group meetings have been held in the studios, at SWG headquarters and in the homes of writers. The various suggestions were collected and a coordinating committee named to compile a consensus of opinion. This committee, which is still talking with the negotiating committee and the SWG executive board, is expected (Continued on page 22)

N. Y. City Fathers Serious About Drive to Pretty-Up Marquees, Etc.

After months of giving consideration to a program on the part of the City of New York to make portions of the lower half of an avenue by restricting billboards, theatre marquees, etc., it has been decided to set up a number of special committees to press for action.

A meeting was held Thursday afternoon (1) in the office of Sen. J. Henry Wetters, legal counsel for RKO, with representatives of the city government, picture theatres, light and other firms attending. Due to the feeling that the group, holding for action Thursday (2), was too heavy, action was restricted to the plan at an early date to break up the marquee into smaller units, one to cover light, another for the major picture theatre, still another for the independent houses, and others.

Rep. Taggart, former trustee in President Roosevelt's administration, is carrying forth the project to clean up New York by cleaning it up. Plan is being handled through the City Planning Commission.

Among other things, in the process of prettying up New York—down-town Broadway as well as all portions of the city—the City Planning Commission is reported preparing to crack down on any violations that exist, such as marquee which are not restricted to size and structural load and other paraphernalia over the street or other buildings; improper billboard, banners, and the like.

Special committees to be organized, possibly at a meeting which might work or two, are expected to dig into the city laws and ordinances to determine the nature of violations.

STEP UP 'RUSSELL' PITT FREEM TO CIVIC EVENT

Pittsburgh, May 1. Pittsburgh's first big-time world press, that of 'Lillian Russell' (1938) at Alvin May 13, will have wide civic backing, with Mayor Scott, Chamber of Commerce and City Council going to town with Harris Amusement Co. in co-operation. Adm. is taking an exception of a civic event, with Alvin May coming here in person along with Edward Arnold and several other as yet unannounced players.

One of features of celebration will be a duplicate of 1938 dinner. Dressed Jim Brady came toward for Lillian Russell. It was intended by Jacques Santandey and he's being brought on to do the same job for the return at the William Penn hotel.

Bob is bringing around 15 eastern artists, many writers and syndicate men here for two-day event and they'll be quartered at William Penn and entertained at Variety Club, which has its headquarters there. Network broadcast is being planned, but details haven't yet been worked out. Don Ameche won't be on hand. He's going to Clinton, Ia., to Lillian Russell's birthday. For simultaneous premieres.

Christy Gilbert, of 1938-Fox exploitation staff in New York, has been working here by Rodney Bush in work out campaign with George T. and Sam Hunt, Harris co., advertising chiefs.

Disney Compilation On Long Paris Run

Reinhold Aronson, European chief for RKO, is confined with putting over a compilation of Walt Disney shorts in Paris. He combined 'Yankee Doodle', 'The Ugly Duckling', 'Brave Little Tailor', 'The Frog Prince', 'Fairy Tale Symphony' and 'Donald's Golf Game' into a first-run feature, which he tagged 'La Grande Parade De Walt Disney'.

It is now past its sixth week at the Cinoplume theatre, with the run expected to continue for some weeks to come. Film went out on a feature rental basis. Aronson put the shorts together and dubbed in a continuity in French. It also will be distributed in Belgium, Switzerland, Rumania, Dutch superimposed titles will be used when it goes into the Netherlands.

Was Civil Suit On Pic Release Date Angle

Milwaukee, May 1. A publicity and merchandising tie-up that went haywire was aired in civil court here when Judge Henry Cummings ruled that Mrs. Edith M. Farrell, head of a fashionable millinery, owed out pay a \$94 bill which a Los Angeles hat manufacturer tried to collect by law for a commission of Joan Bennett's hair.

The Milwaukee woman contracted last August for the skydiver, which she aimed to sell when UA's 'Housekeeper's Daughter' was released here, supposedly a couple of weeks later. But something happened that held up the release of the picture here until February, and the hair didn't reach the milliner until February, either. And in the picture Joan Bennett didn't wear a hat anything like those she was supposed to.

'EDISON THE MAN' GETS FOUR-PLY N. J. FREEM

Under a tie-up with a streamer's committee of the Oranges, in New Jersey, a quadruple premiere of Metro's 'Edison, the Man,' will be held Thursday (1) in four theatres as part of an Edison Festival of Progress.

Showings will be held at the Hudson, East Orange; Camen, South Orange; Palen, Orange, and the Windsor, West Orange, as a climax to activities which start Tuesday (2). A tribute to the Edison Festival of Progress will be held that day as a tie-off, with ceremonies in connection with the 'Edison' spot in the world and the 'largest photograph ever made.'

The following day, Wednesday (3), there will be a citizen's committee luncheon honoring the makers of the Oranges, followed by a dedication of the Crypt of Cinema Progress at the Edison laboratories and dedication of the 'Black Maria' (the birthplace of motion pictures).

That night there will be a so-called Edison premiere ball and a fireworks display, while the next day, prior to the showing of 'Edison,' a pageant of progress parade will be held, topped at 8:30 p. m. by a lawn buffet at the home of Mrs. Edison-Wagner.

A portion of the proceeds to the ball and the world premiere of 'Edison' will be donated to charity. Buses, accommodating 15, will be \$100 for the ball, while individual reserved seats will be \$5. All theatre tickets will be \$1.25 each.

Harold Flynn Resigns, Lynch on M. H. Press

Publicity-advertising department of Radio City Music Hall, N. Y., will continue as is without a successor to Harold Flynn to be appointed, at least for the time being, it is understood. Fred Lynch, assistant, is nominally in charge.

Resignation of Miss Flynn, former newspaper woman from Chicago where she was a film critic for years, is reported to have followed friction concerning the conservative policy of the Hall. The theatre sends out very little publicity.

Miss Flynn says she never was particularly fond of press agency anyhow and may try her hand at freelance writing.

Selling Sex With Skills A New Twist In Mpls.

Minneapolis, May 1. Long theatre playing a foreign picture with a sex angle employed a couple of skills to good effect to help its business. When a crowd was gathered around theatre outside house, one of the skills would walk up to the boxoffice and ask in a loud enough tone to be heard by the crowd whether the picture was 'un-released.'

Given an affirmative reply, he'd buy a ticket and enter the show-house. As a rule, several in the crowd invariably would follow suit.

Hays Ad Council OKs And Questions Pix Campaigns

Hays office advertising advisory council survey included discussion of ads related to being on the border-line, and likely to be damaging to the industry. The prize-winning campaign on 'Dr. Ehrlich's Magic Bullet,' admittedly a ticklish subject, was handed laurels as was 19th-Fox's arty publicizing of 'Crucifix of Wrath.' Other pictures mentioned at the session included 'Frensh Without Tears,' '11 Days Together' and 'Strange Cargo.'

It was pointed out that during the last fiscal period of operation, the advertising advisory council had handled 121,000 items of publicity, advertising and stills, less than 2% being totally rejected or calling for revision.

MICH. BULLISH ON RESORT PIX

Detroit, May 1.

The little boys are going to gang up on Michigan resort centers and small towns this summer with the film trade, at least 20 outfits, coming in to operate anywhere from five to ten circuits. Since no circuit is to include less than five towns, it means that a conservative estimate implies that 100 towns and communities, previously unserved, are going to have pictures this summer. The boys, in most cases using 16 mm. film, will serve one or two nights a week. But, in the main, they will be pioneering huge without pictures, maybe paying the way.

Among those who are active names this far are Rand Claver, former head of Powers Pictures of Michigan, helped by Chuck Harris and Bud Claver; Doran Film Co. with a thorough sales campaign for new territory; Robert Helms and Harrison Beach, who know their way around Michigan, and numerous other companies which will branch out of such key cities as Flint, Lansing, Bay City and Grand Rapids.

'FAVORITE WIFE' GETS BIG L'VILLE SENDOFF

Louisville, May 1.

From 'My Favorite Wife' Thursday (1) at the Rialto almost dinned the luncheon of the Derby, or at least added to the excitement prevalent in this burg last week. Irene Dunne, accompanied by a number of Hollywood producers, directors, et al., headed into town to place the same afternoon and immediately plunged into a series of events and social functions.

The event of the Kentucky visit of Miss Dunne and her associates was her appearance at the Stephen Collins Frazier stamp issue celebration at Bardonia, Ky., Friday (2) morning, when she sang 'Old Kentucky Home' over the Mutual web and WHAS locally. WGCN was the local Mutual key station. Others who appeared on the string were Walter Connolly, a number of state and national celebs.

Rialto was the center of a seething mass of several thousands of palmtops, who were unable to gain admittance to the packed house. Miss Dunne was presented to the audience seated in a drawing room set, together with Randolph Scott. Others who were on the stage were Mayor Joseph D. Schertz and Mrs. Schertz, Boyd Martin, Courier-Journal dramatic critic, Belle and Sam Spewack, authors, Walter Connolly, Mr. and Mrs. Fred Dula, Major Albert Warner, George J. Schneider, Red Depew, Hal Beach.

Last showman entertained the players, and most of them were guests of the Kentucky Colonial dinner Friday (3). Boyd Martin acted as m.c. for the 30-minute stage program, assisted by Bert Blackwell, WAVE announcer.

Knox College Alumni Back These Days

Alumni of Knox College is getting back of Paramount's 'These Were the Days.' Special premiere of film will be held May 11 in Galesburg, Ill., site of Knox school.

Film is based on 'Good Old Smack' by George Fitch. His daughter, Janet Fitch, is in the continuity acceptance department of National Broadcasting Co. in N.Y.

3 New H'wood Houses May Start Price War; Theatre and Exchange News

Hollywood, May 1.

But for Hollywood picture patronage has reached a new high with the opening in past week of two new theatres on the boulevard and a third just nearing completion, further adding to the competition. First A first run house to be erected in Hollywood in past 10 years is the new Haverd, which debuts (2) under the sponsorship of Albert Gallatin and Jay Simon, who for several years have operated the Miami. Few days earlier the new Tins-Vue recently opened, devoted to the cinema colony main stem, making two severe houses within a couple of blocks of each other.

Third house, almost ready to go, is the Admiral, being erected by the Hays Bros., and which Marie Hays will operate as a subsequent run, getting yet to be defined.

Haverd, while intended as a first-run for Hollywood, will have production breaks to figure on after operating few weeks, while last is right for Admiral is last run in Hollywood, probably at 20.

Three new theatres add about 2,000 seats to an already overcrowded Hollywood, and located, as they are on Hollywood boulevard, within a few blocks of each other, will provide plenty of competition for themselves, as well as the Pantages, Hollywood and numerous Fox West Coast and independent subsequent runs that dot the boulevard.

Building crop is viewed with considerable alarm by theatre operators, many of whom are already predicting a substantial price-cutting war if all houses expect to operate. Price-cutting has already started downtown in a few widely separated spots and operators in that section are genuinely concerned over prospects for wholesale slapping of admission gates as an only out to remain in business.

St. Louis Police-Club Deal

St. Louis, May 1. Indie exhibitors in St. Louis and adjacent St. Louis County are seeking to cancel films that have been shown as part of triple unit programs in houses where the admission price has been slashed to the bone. Move brings to a head a general feud by the indie against the price grinding and rebate tactics of the St. Louis Amusement Co. and Funchon & Harris. In written protests to managers of local exchanges, the exhibitors are naming the film and the theatre at which the triple unit or triple unit program was used.

Indies also are bickering at the rebate tactics F&H is employing at its three theatres, Fox, Missouri and Ambassador. During the recent price, cinema, produced by F&H, thousands of indie program-dodgers, in which a two-question coupon was printed, were distributed. Presentation of the coupon would be used as a rebate.

The coupons which need not be signed or any address given can be used up to Aug. 1 for a 50% reduction of a 10¢ ticket; for a 25¢ ticket; for a 50¢ ticket; for a 75¢ ticket; for a 1.00 ticket; for a 1.25 ticket; for a 1.50 ticket; for a 2.00 ticket; for a 2.50 ticket; for a 3.00 ticket; for a 3.50 ticket; for a 4.00 ticket; for a 4.50 ticket; for a 5.00 ticket; for a 5.50 ticket; for a 6.00 ticket; for a 6.50 ticket; for a 7.00 ticket; for a 7.50 ticket; for a 8.00 ticket; for a 8.50 ticket; for a 9.00 ticket; for a 9.50 ticket; for a 10.00 ticket; for a 10.50 ticket; for a 11.00 ticket; for a 11.50 ticket; for a 12.00 ticket; for a 12.50 ticket; for a 13.00 ticket; for a 13.50 ticket; for a 14.00 ticket; for a 14.50 ticket; for a 15.00 ticket; for a 15.50 ticket; for a 16.00 ticket; for a 16.50 ticket; for a 17.00 ticket; for a 17.50 ticket; for a 18.00 ticket; for a 18.50 ticket; for a 19.00 ticket; for a 19.50 ticket; for a 20.00 ticket; for a 20.50 ticket; for a 21.00 ticket; for a 21.50 ticket; 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Theatre Need Barks London Legit; 'Velvet' Smooth \$16,000, 'Rebecca' OK 8G, 'Pie' \$12,000, 'Me-Girl' Slides

London, April 18. — Since his arrival in the West End in particular, and in the general theatre scene, has been a full and busy one. He is gradually getting used to the London scene, and is looking for a few more shows to get the show, and quite a few shows are playing in the streets due to lack of accommodation in the West End.

The success of "White House Inn," revival, and, to a smaller degree, "The Sign of the Cross," has caused a "revival" of revivals. "Chu Chin Chow" is one, which has opened well in the streets, and is now looking for a West End house. Another is "Dear Octopus," which H. M. Tennant is anxious to bring back. Archie Bell and Clifford Whitley are reviving "The Co-Optimists," with several of the old cast. O'Brien, Loret & Dunlop have already made arrangements for "The Women" to enter another season in the West End. Some firms are discussing the rights of "The Sign of the Cross," of which they want to do a musical version.

Of the important productions due, Harry Foster and Tom Arnold have a musical, now, a musical by Fred Thompson and Noel Gay, goes into the Prince of Wales early in May; the other is "Diverses for Christy," straight play by Lord-General George Maitland, in which Frances Day will be starred. There is also a Charles D. Carter, who has a new revue under the name of "Wonders," and wants Claire Luce and Nanette Harris to be the leads.

A. J. Cronin's "Aspirin Lovers" will do good business on the road, and will be welcomed in London if a theatre was available. Robert Donat, touring the streets in revival of "The Sign of the Cross," is due to the West End, providing Metro doesn't tell him to start filming "The Life of Charles." O'Brien, Loret & Dunlop also have new plays for various theatres. "Women Aren't Angels," to star Robertson Hare and Alfred Drayton. J. L. Smith will need a theatre for Clara Bow's "Marilyn for Ever," which he is anxious to produce. C. B. Sells, his first in the West End in the last 10 years. He has made a few as producer in Australia during that interval.

J. B. Priestley's "The Long March" also touring the streets, is due to a London house, and the author has gone to Manchester, where it is playing, to give it the overview, if it is worth while. Harry O'Brien has "Penny Royal," musical by Simon Carson, with music by Richard Grims. Vernon Repton, and Irving for Mary Hunter, which will be tried out in the streets, and then moved to the West End.

(Estimated grosses: Estimated at \$4 to the \$5)

"Home to Square," St. Martin's (12th week). First week failed to exceed \$2,500. Success very doubtful.

"Wanted Company," Durbest (10th week). Very disappointing, especially as review and fair press. Has been played on either, but results still very disappointing. Grosses never exceeded \$1,000, and is now under \$1,000, which renders loss.

"Black Velvet," Hippodrome (10th week). An outstanding success. Doing under \$1,000 weekly.

"Come Out to Play," Phoenix (10th week). But attracting better-than-average trade, although grosses are not so good. Averaging \$1,000 per week, slightly above even level.

"French for Love," Criterion (12th week). Clicked for quite a while, averaging as high as \$1,500 for several weeks. But has dropped considerably nearer to \$1,000, which is still profitable, as cost is on percentage. Management already on the lookout for a new show.

"Gypsy Market," Globe (10th week). Doing fairly well at around \$1,000, slightly disappointing, but not disastrously so, as salaries and overheads are low.

"Fanny Side Up," His Majesty's (10th week). Got off to terrific start, with bookkeeping helping considerably. Touched \$1,500 for several weeks, with \$1,000 out of production, and steadily off. Now doing steady \$1,000, which still yields nice profit.

"Good Men Sleep at Home," Shaftesbury (10th week). Started first week with intake of \$1,000, which showed profit, as salaries are small, with trade mostly on percentage. Expenses advertising upped second week to \$1,000. Could keep going it much longer than this figure, and more well for George Black, Jr., and Harry Harman's first venture into West End production.

"New-Have," Holborn Empire (10th week). Doing consistent trade, with no sign of dissipation. Steady \$12,000 per week.

"Ladies Into Action," Lyric (12th week). Four five-day vehicle disappointing at \$4,000 for first shows, but

expected to pick up. Even at that figure it can still keep going.

"Ladies in Retirement," St. James's (10th week). Has had somewhat better success, at times very low, although never losing. It has gone as high as \$1,000, very profitable. Now doing around \$1,500, at which price it is good for months.

"Lights Up," Savoy (10th week). Got away to good start, getting better on opening night, which helped considerably. Intake at times touched \$1,000. But has now gone considerably below that figure, and under \$1,000, which is still in black.

"Me and My Girl," Victoria Palace (10th week). Has now got to the dwindling stage, and is only kept going because management has no replacement. In first theatre to have gone two-for-one since the war. Got as low as \$1,000, which is slight loss, despite small salary list. But not rates have upped intake to \$1,000, and if it maintains this figure, can linger for sometime.

"Seaside," Wyndham's (10th week). Got away to big start, with management expecting big things. Grosses disappointing at \$1,000 for first week, although figure shows good profit, as cost is not expensive. Has good chance.

"New Faces," Comedy (10th week). This is first review written by Eric Mauchwitz, and is presented by Archie Parson and Jack Davies, although neither are understood to be Tommy O'Brien, man about town, who used to finance the late Eddie Cliff's shows, and one of the O'Brien brothers. Show got away to big start, and with Mauchwitz's BBC connections, will undoubtedly get strong press. First week touched under \$1,000, which shows profit. Outlook again rosy.

"Nap Band," Aldwych (10th week). Never got started, with management facing run with plenty of padding. Barely touching \$1,000, and play depends on how much more promoters are prepared to lose.

"Shakespeare's Queen," (10th week). Outstanding success, with steady intake of \$1,000 per week and daily advance booking of \$1,000, which is rare for straight shows. General prediction is for year's run.

"Shepherd's Pie," Prince (10th week). Has been consistent money-maker since opening, with cost, mainly in percentage, keeping a harvest. Topped \$1,000 many weeks, and even now still in the \$1,000 bracket, and a money-maker. Looks good for many more months.

"The Case is Green," Piccadilly (10th week). Has made lots of runs for its semi-playwright, Evelyn Williams, having done as high as \$1,000. Even now, at \$1,000, is still in the money class.

"The Beggar's Opera," Haymarket (10th week). At \$1,000 good for fair run.

"The Gals Reveal," Ambassadors (10th week). Has made money, but now practically exhausted, and scheduled to close this week, with some shows of some type replacing.

"The Country Wife," Little (10th week). One of those shows which is steady suggestive, bringing monies to both A.C. clientele, and even interesting present generation. Doing steady \$1,000, which means some coin on the right side of the ledger, as overhead is comparatively light.

"The Light of Heart," Apollo (10th week). Steady money show opening, with country music, only exception being Monday evenings and matinees. Topping \$1,000, which leaves plenty profit.

"The Little Red Lighthouse," Palladium (10th week). Was first show to replace West End theatres after destruction of war, and raised money for months at times exceeding \$1,000. Has been off in last few months. Cannot exceed \$1,000, and at that, available just above even break. Field at end of this month, being replaced by Jack Hylton's radio feature, "Garrison Theatre."

"The Silver Patrol," New (10th week). Is one of the few shows in West End that is losing money, and at rate of \$1,000 per week. Will probably last 100 weeks, but cost of disposal and their equipment, which won't be worth money, as there is no other commercial outlet.

"White House Inn," Coliseum (10th week). This revival is even bigger than management expected. Some fantastic takings are being whizzed around, some as high as \$1,000. Not \$1,000 is never true intake, and at that figure making steady \$1,000 profit.

"Whisper the Palace," Whitehall (10th week). Has taken \$1,000 in its first shows, and not likely to linger much longer.

"Up and Doing," Saville (10th week). Show got good press, and with variety of stars, commencing Leslie Haines, Brenda Hale, Stanley Holloway and Cyril Richard, seems assured of long run, making two hits in a row for Fifth Shepherd.

Pro-Nazi Japs Key to M-G Withdrawal of 'Thunder'

Tokyo, April 12. — Metro recently withdrew application to release locally "Thunder Aboard," which had been imported by the Home Ministry because of an anti-German element contained in the story.

Although the recent pact between Germany and USSR has greatly shaken Japan's faith in Germany, the sentiment of the majority of the people in the European conflict seems to be with Germany for a reversal of the pact, 85% of the students wished Axis to beat Allies.

ACCORD ON 50% ANTIP FREEZE SEEN NEAR

Sydney, May 1. — An agreement is reaching consummation whereby the federal government of Australia will freeze 50% of American distributors' rentals in this country during the war. Higher percentage was sought at first but a recent, friendlier attitude toward the Americans apparently will clinch the agreement on this basis. The U. S. major companies, last year it was stated here that the companies transmitted to U. S. less than \$1,000,000.

N. Y. Times

Foreign departments of film companies in N. Y. this week claimed that the decision on money freezing in Australia was not definitely final, but that it appeared to be 50%. Several executives were mentioned that actual operation of the 50% freeze might be started without further negotiation. Many officials were not pleased with the 50% figure or work-up of the pact. They hope to resume negotiations for added relief. The 50% freeze is to work on a week-to-week basis on actual rentals.

What makes the American companies dissatisfied with the 50% pact is that it comes on top of high taxes, duties and other restrictive measures. Several companies estimate that 60% of their gross business in Australasia today is consumed by overhead which includes such taxation.

Also, there has been an allowance for the 10% rejection light given exhibitors in New South Wales, where bulk of big theatre business is done. U. S. companies had sought relief from this but were told this was a state matter. As a consequence of the main freeze and the New South Wales rejection, many companies will not show on the number of features distributed in Australia annually.

Questions of whether American companies would lose the money frozen in Australia for production has been strongly denied in New York foreign department quarters. That a single foreign executive would shut such production would be feasible. They claimed there were not enough facilities and it was impossible to get stars from Hollywood to work there. Taken 20 days each way and estimated that it would mean three months' closure from the Coast for four weeks of actual shooting.

Increased War Scope Blasts Foreign Sales Meets of U.S. Firms

Possible extension of the European war to the Mediterranean and unsorted conditions throughout Europe probably will lead original intentions of many major companies to hold regional sales conventions abroad. Indications are that only United Artists and possibly Metro-Fox would go through with their regional sales.

About a month ago all the companies had planned to hold regional

BERMAN'S NEW M-G POST

Shanghai, May 1. — Julian Berman, formerly general manager in Japan for Metro, is the new general manager in China for the company. Successor Henry Martin, transferred to the Japan office in Tokyo.

U.S. Pic Concerns' Threat to Shift Biz Brings Ease in French Import Curb; Final Coin Decision Awaited

See 50% Withdrawal

Paris, April 23. — Although no official indication has been given, it has been reported that the French may be willing to permit the withdrawal of about 50% of the total of currency withdrawal made by American distributors in 1937 and 1938.

American distributors are said to be countering with the demand that 1939 be used as a basis for currency withdrawal due to the reduced returns during the two preceding years.

OSCAR STRAUS' NEW PARIS HIT

Paris, May 1.

It took an Oscar Straus operetta to do it, but the blackout that has hovered over Paris' show life since the start of the war was finally lifted Wednesday night (21) at the Marigny, where the 11-year old composer's latest work, "Mrs. Anson" ("My Love"), was presented before a packed house.

Sponsored by the Dauphin of Windsor charity, Le Ciel de Triomphe, "Anson" had an opening that coincided with the superlative gaiety that took place at openings prior to the war, also marking for the first time since the war a first-night audience attend formally.

Such dignitaries were present as President Lebrun, vice-president Camille Chautemps, the British and American envoys, and the Windsors, among others.

Adapted from Edward Childs Carpenter's comedy, "Bachelor Father," "Anson" has been converted into operetta by Albert Willemetz and Leopold Marchand. It hasn't been set back by the transition, the Straus music particularly enhancing its entertainment qualities.

André Lugnet, who played in the French film version of the Carpenter comedy some years ago, in a minor part, has the lead role in the operetta, while other players in the cast are Roger Tardieu, Robert Alard and Monette Diney.

French Film Void in South America Hikes Chances of U.S. Cos.

Best break that American picture will get in the South American market is the lack of strong competition from French-made films, which prevails in the southern of the European war were making inroads on U. S. picture business in several Latin American countries.

That is the opinion of Alvaro Rojas, Paramount's manager in Colombia, previously reported in New York.

2 ACTS WALK OUT OF ORIGINAL 'CRAZY' UNIT

London, May 1. — Two troops that were instrumental in the success of the "Crazy" unit last are quitting the troupe and won't be in the next Palladium "Crazy Show." They are Macpherson and Gold and Harris and Egan, the former pair said to have been responsible for the "Crazy" idea, which they got when they visited America some years ago.

Of the original troupe, only Flanagan and Allen remain for the next Palladium season. Appreciation has been featured at the Palladium for years.

Paris, April 23.

American picture were permitted to enter France last week for the first time since March 23 and may well represent the last batch given entry here until the Ministry of Finance arrives at a final decision on the fiscal policy to be adopted concerning import permits.

Finance authorities instructed various officials to receive 1,413 pounds of film, negatives and sound and dubbing equipment to the American distributors. Allocated by companies the totals are: Warners, 520 pounds; Columbia, 400; Metro-Fox, 220; M-G, 100; RKO, 170; United Artists, 100; and Paramount, 120. There are still more than 10,000 pounds in constant with constantly new arrivals. The March 23 entries, representing small batches, were the first in some time.

It was originally decided to permit 1,100 pounds of film to enter but at the last moment Finance authorities relented and more than doubled the figure. It was not revealed when more film would be permitted to enter the country although it is reliably learned that officials desire to arrive at a solution of currency restrictions before authorizing further entries.

The total of 1,413 pounds is merely an arbitrary figure arrived at after American distributors insisted on the urgent necessity of replenishing their depleted stocks. They pointed out that their business here was in a precarious state in view of the fact (Continued on page 34)

Johannesburg Exhibs Attack 'Gone's' Upped Rentals, Admiss Price

Johannesburg, May 1.

The exhibitors in the foreign field against Metro's 10% take on "Gone With the Wind," which started several weeks ago in Great Britain and was followed last week with a similar squall in Sydney, Australia, is joined here by disgruntled exhibitors who are attacking the upped rentals and his prices.

"Gone" is doing well here, though undoubtedly hit by the heels, and should play a fifth week. It is reported as having exceeded \$70,000 for the first four weeks.

"Gone" Big in Sydney

Sydney, May 1. — "Gone With the Wind" opened strongly here at the St. James and Liberty theatres Wednesday (11) with three-per-day schedule. Night box price is about the same as in U.S., or approximately \$15, while matinee up to \$10, with \$10 maximum.

"Wind" opens in Melbourne next month.

London Meeting

London, May 1. — General Council of the Cinematograph Exhibitors' Assn. meeting tomorrow (Wednesday), will report on the progress of its rental campaign against Metro's "Gone" which was inspired by Cinema price increases.

Meanwhile, Metro is looking the part with under issues in key cities, with some members of the CEA and, in several instances, according to reports, with some officials.

SEE NO EASY SAILING FOR 'PERIL' IN LONDON

London, May 1.

"Peril at End" mystery programmed as a thriller, inevitably was greatly over-rated by the critics, according to the first-night audience reception at the Vaudeville theatre Wednesday night (17).

The New (London) are satisfied.

Goodman Back From S. A.

Morris Goodman, Republic's first night club agent, presently in Venezuela on his return trip to U. S. after nearly three months in Latin American countries, is due in New York May 23.



It's Robert Taylor's
top performance!

The picture
the world waits for
because in her first
screen role since
she was the beauti-
ful Scarlett O'Hara,
Vivien Leigh again
thrills in a film of

emotional fire and Robert Taylor gives
his most powerfully romantic performance.

"WATERLOO BRIDGE"

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play
by S. N. Behrman, Hans Rameau and George Froeschel • Based on the Play "Waterloo Bridge" by Robert E. Sherwood
A METRO-GOLDWYN-MAYER PICTURE • Directed by MERVYN LeROY • Produced by SIDNEY FRANKLIN



**WHEN
THEY
ASK
YOU:**



"WHAT IS THE
TITLE OF VIVIEN
LEIGH'S FIRST
NEW PRODUCTION
SINCE 'GONE
WITH THE WIND'?"

be sure you
know the
correct answer!

LOUISVILLE OVER "MY FAV"

The Courier-Journal

WHAS
Page 15—Section 2

LOUISVILLE, FRIDAY MORNING, MAY 2, 1940

VOL. 9 CLXXI, NEW SERIES, NO. 26,706

Stupendous and Colossal Describe Irene Dunne Visit

Huge Crowds Storm Rialto

Stunners on Picture Front
By MARION FORTYER

Now we know why stupendous and colossal are Hollywood's favorite words.

They are necessary to describe such showings as the world premiere of "My Favorite Wife" at the Rialto Theater Thursday night with Irene Dunne, Louisville-born star of the RKO-Rialto picture, appearing in person.

Boyd Martin's review of the film is on page 6, section 2.

Stupendous, colossal and terrifying were the crowds that surged in front of the theater in hopes of a glimpse of the famous actress. Thousands were unable to get seats inside.

Group Arrives By Plane

Miss Dunne, together with Randolph Scott, also in the production, the director, and other movie moguls arrived by plane earlier in the day at Bowman Field.

The big events of the Kentucky visit for Miss Dunne are her appearance at the Stephen Collins Foster stamp issue celebration at Nashville at 10:30 a.m. Friday and the Kentucky Derby Saturday, when she will sing "My Old Kentucky Home."

Upon the advice of other members of her party who told her it would be "dangerous" to enter the Rialto through the crowded front entrance, Miss Dunne reluctantly consented to abandon the traditional premiere "walkdown" with a word of greeting for the populace, and agreed to slip in the rear door.

Star Wears Light Blue

Dressed in a light blue long-sleeved dress and matching jacket and wearing a shoulder-length of pearls, Miss Dunne, seated backstage with Mr. Scott, smiled at the dialogue of their picture which came from the front box behind the screen.

Blondeville photographers scribbled about taking pictures of the star and the director, Lee McCarty; Boyd Martin, The Courier-Journal dramatic critic, who was Journal dramatic critic, watched master of ceremonies, introduced over his lines of introductions for the visitors; the crew of WAVE, broadcast the program, ar-



Irene Dunne and Randolph Scott
Backstage at The Rialto

D. Schellie and Mrs. Schellie were interviewed all around and the stage hands patiently assembled a drawing room set while waiting around numerous ladies in evening dress, hats and flowers and gentlemen in dinner coats.

When Miss Dunne was presented to the audience the applause was deafening and elicited planned head-nodding among the backstage contingent. She spoke briefly in her pleasant voice and concluded to sing a song—"Wishing With Make It So."

Thank "Scalper" Dashed

Mr. Martin was introduced by Bert Blackwell of WAVE. The dramatic critic presented in succession Bella and Sam Spewack, authors of the production; Walter Connolly, who played in a clock company here and who recently appeared in "The Great Victor Herbert"; Mr. McCarty, David Herbert; Mr. Scott, the director of "Kismet"; Mrs. Connolly, Mr. Scott, the Mayor and Miss Dunne. Mr. Martin thanked the Fourth Avenue

Pictures and Johnson Minstrelman, manager of The Rialto, for bringing Miss Dunne and her party to Louisville. Mr. Martin, Fred J. Delle and Dennis H. Long were hosts at a dinner party for the star preceding the premiere.

Evidence that Irene Dunne's Louisville homecoming reached the ultimate in public success was offered by the Police Department: Friday night when they charged a District youth, here for the Derby, with scalping tickets in connection with the premiere of Miss Dunne's picture.

The youth is Fred Karam, 20, who was charged also with disorderly conduct and vagrancy. He said he purchased eight tickets for the premiere at 45 cents each, but admitted he had to sell them, good only for standing room, at that price. He had sold six when arrested.

A real, true tear that was not a movie product came to the eye of Irene when she heard and saw the extent of the gratings that

Wage Act

WORLD PREMIERE
MY FAVORITE WIFE
IRENE DUNNE

R K O
RADIO
PICTURES

DIRECTED BY
GARSON KANIN

Screen play by
Bella & Samuel Spewack

(Continued on Page 6, Column 2)

GOES WILD "FAVORITE WIFE"!

Journal

RIALTO DOES BIGGEST BUSINESS IN 3 YEARS!

Coast Preview Critics Say—

VARIETY —

"Sure-fire . . . made to order for the top first runs."

FILM DAILY —

"One laugh after another...should do land-office business."

MOTION PICTURE DAILY —

"One of the funniest pictures of the year."

MOTION PICTURE HERALD —

"The audience was swept with laughter."

BOX OFFICE —

"All hands hit the jackpot for comedy."

HOLLYWOOD REPORTER —

"RKO has a solid hit . . . Should take the kinks out of a lot of box-offices."

HOLLYWOOD VARIETY —

"Sure-fire prescription for a hit show of most prosperous dimensions."

LOUELLA PARSONS, L. A. Examiner —

"A rogue of a picture...Sophisticated, sparkling, gay and so hilarious it will make the worst grouch forget he is mad."

EDWIN SCHALLERT, L. A. Times —

"Will yield enjoyment and laughter in largest measure."

VIRGINIA WRIGHT, L. A. Daily News —

"Rapid-fire nonsense, played in broad comedy style...Great antidote for the news of the day."

JAMES STARR, L. A. Herald-Express —

"If it is not the comedy favorite of 1940 I will eat the film reel by reel."

IRENE DUNNE CARY GRANT
"My Favorite Wife"

with RANDOLPH SCOTT GAIL PATRICK

A LEO McCAREY PRODUCTION

Advance Production Chart

(Continued from page 13)

Paramount

	From	From	From	From	To Be	Scripts
Studio	10	11	12	13	14	15
H. Sherman	1	2	3	4	5	6

Picture is selling some or awaiting release:

SAFARI, drama, G.M.P. production; director, Edward H. Dmytryk; no writing credits released; camera, Ted Taitel; cast: Douglas Fairbanks, Jr., Madeline Carroll, Ted Taitel, Charles Lane, Lynn Overman, Marjorie Angelou, Fredrick Vogelbein, Clinton Rosemond, Thomas London, Fred Goetz, Jack V. Carr, Billy Gilbert, Hans Von Meyers, Harry James, Henry Edwards, George Malloy, James Davis, Al Dwyer, John R. Washington, Eric Carter, Hanson Scott, Major Sam Harris, Jesse Graves, Ernest Whitman.

GOLDEN GLOVES, drama, G.M.P. production; director, William C. Thomas; director, Edward Dmytryk; no writing credits released; camera, Henry Sharp; cast: Robert Ryan, Jean Cagney, Richard Denning, Robert Ryan, William Franklin, Edward Brophy.

STAGE COACH WAR, comedy, G.M.P. production; director, Harry Sherman; camera, Leslie Selander; screen play, Norman Houston; based on a story by Clarence E. Mulford; camera, Russell Harten; cast: William Boyd, Russell Hayden, Bill Wood, Harvey Stephens, J. Farrell MacDonald, John Carter, Rod Robinson, Frank Lockman, Edward Waller, Jack Beckard.

EXTENDED (Technical) production; Paul Jones; director, George Archainault; screen play, Frederick Harshbarger and Frank Butler; based on "Hartley" by Sinclair Lewis; camera, Lee Tover; cast: Ray Milland, Patricia Markey, Alan Tarrant, William Franklin, Billy Mays, J. M. Sullivan, Esther Dale, Joe DeLoach, Nita Davidson, Charles Wyatt, Gertrude Hoffman, J. Farrell MacDonald, Ethel Barry, Clem Brown, Fay Helen, Darryl Hickman, Bonnie Allen.

BURN WERE NIGHT, drama, producer, Paul Jones; director, Preston Sturges; no writing credits released; camera, William Miller; cast: Brian Donlevy, Marjorie Angelou, Alan Tarrant, William Franklin, Allen Jones, Harry Rosenthal, Lida Taylor, Thornton Hall, Ethel Barry, Esther Howard, Dennis Kerr, Mary Thomas, Walter Sedelmeier, Harry Hayden, William Edwards, Dorothy Vernon, Sylvia Andrew, Kay Stewart, Jean Phillips.

THE RAY OF ALL FLESH, drama, producer, G.M.P.; camera, Eugene Fisher; director, Louis King; no writing credits released; camera, Theodore Sparkuhl; cast: Alan Tarrant, William Franklin, Gladys George, Marjorie Angelou, Norma Nelson, James Fox, Roger Ladd, Bertram Churchill, Douglas Kennerly.

THREE WERE THE DAYS, comedy, G.M.P. production; director, Ted Taitel; screen play, Dan Hartman; based on the stories by George Platt; camera, Victor Miller; cast: William Holden, Benita Granville, Sara Stone, Vaughan Glavin, Judith Barrett, Philip Terry, Richard Denning, James Fox, John Laird, John Hartley, Douglas Kennerly, John Arledge, Jess Phillips, Audrey Marwood, Ray Stewart, Paula De Carlo, Katherine McCormack, Jimmy Dodd, Harry C. Bradley, Dick Wadlow, Michael Dale, Lane Allen, William Orr, Dave Dundas, Aldrich Baker, Kent Rogers, Frank Caplan, Jr., Robert Scott, Alan Ladd, Gertrude Hoffman, James Fox, Stanley Bryson, Lou McNeely, Hal Bransford, Richard Clayton, Bradley Clark, Billy Ivers.

HIDDEN GOLD, comedy, G.M.P. production; director, Harry Sherman; camera, Leslie Selander; no writing credits released; camera, Russell Harten; cast: William Boyd, Russell Hayden, Bill Wood, Ray Barrett, Minor Watson, Lee Phelps, Ethel Wale.

THE ALABAMA FAMILY IN LIFE WITH HENRY, comedy-drama, producer-director, Theodore Reed; original story and screen play by Clifford Goldsmith and Dan Hartman; camera, Lee Tover; cast: Jackie Cooper, Lela Root, Eddie Bracken, Hedda Hopper, Fred Kite, Ray Stewart, Rita McDaniel, Marjorie Stone, Fred Brooks, Josephine Whittell, Faye Wasko, Doris Lind, Armand Gully, Wright George, Maudie, Jack Clifford, Edna Evanson, Lillian Lillifield, Frances Carson, Frank Thomas, Jr., Robert Walker, Danny Bowman, Joan Miller, Mary Currier, Thornton Hall, Charlotte Treadway, Whitray Harris, Theodore Van Klee, Harley Stafford, Bud Cameron, Douglas Fair, Jean Phillips, Lillian West, Sam Ash, Cyril Ring, William Hall, Yma Marshall, Betty Inge, James Dundas, George Mathews, Arthur Stuart Hall, Stanley Mark, Ned Butler, John Laird, Betty Harrington, Jan Burroughs, Rita O'Neil, Belle Wood, Mary Allen, Gus Reed, Frances Raymond, Nell Craig, Helen Dickson, Fern Emmert, John Brynner, Charles Bader, Jr., Ronald Bennett, Wanda McKay, Betty McLaughlin, Ruth Rogers, Harry Lach, Earl Dewey, John H. Dixon, George Anderson, Gordon Hart, Harry C. Bradley, Adrian Morris, Frances Morris, George Barlow.

A DATE WITH DESTINY, comedy, producer, George Archainault; director, Tim Whelan; screen play, Howard J. Green; camera, Ted Taitel; cast: Sam Ballantine, John Howard, Martin Karlek, Elmo Drew, Barbara Jo Allen, Ralph Morgan, Kitty Kelly, Hugh Southern, Howard Mitchell, Charles McAvoy, Billy Smollett, Henry Victor, Douglas Kennerly, Frances Raymond, Harry Hayden, Harry Bailey, John Laird, James Fox, Lee Tarrant, Ned Butler, Max Wagner, Edward Kline, Hugh O'Connor, Jess Phillips, Kay Stewart, Wanda McKay, Betty McLaughlin, George Chandler, Norma Varkis, James Varkis, Laura Treadwell, William J. Kline, Larry McGrath, Billy Wayne, Johnnie Morris, George Wadlow, Paul Kruger, Philip Morris, Eddie Dunn, Dorothy Daykin.

THE GHOST BREAKERS, comedy-mystery, producer, Arthur Harshbarger, Jr.; director, George Marshall; no writing credits released; camera, Theodore Sparkuhl; cast: Bob Hope, Paulette Goddard, Paul Lukas, Richard Carlson, Anthony Quinn, Pedro de Cordoba, Willie Best, Tim Dugan, David Durand.

QUEEN OF THE MODS, comedy, producer, THE WOMAN FROM HELL; director, G.M.P. production; camera, producer, Edward T. Lowe; director, James Hogue; screen play, Norman McCoy and William S. Lipman; from J. Edgar Hoover's "Persons in Hiding"; camera, Theodore Sparkuhl; cast: Ralph Bellamy, Richard Denning, Paul Kelly, William Henry, J. Carroll Nash, Jean Cagney, James Fox, John Miller, Jack Carson, Paul Herman, Blanche Yurka, Tommy Conroy, Charles Moore, Raymond Hutton, Mary Treen, Frank M. Thomas, Ed George, Howard Mitchell, John Laird, Ned Hamilton, Robert Ryan, Hedda Hopper, Mary Gordon, Lela Roberts, Harry C. Bradley, Lloyd Corrigan, Betty McLaughlin, Laura Treadwell, Ray Gordon, Charles Lane, Charlotte Wynters, Herbert Nash, James Fox, Smokey Samp, Walter Fennar, Bruce Mitchell, Edward Cooper, Mable Flawright, May Beatty.

I WANT A DIVORCE, drama; producer, George Archainault; director, Ralph Murphy; screen play, Frank

Butler; based on a story by Adria Rogers; cast: John Rogers, Ted Taitel, Carl Ann Shindler, Dick Powell, Gloria Dickson, Frank Fay, Nancy Blackner, James Hogue, Harry Davenport, Conrad Nagel, Dorothy Burgess, Mabel Kober, Harry Hayden, Natalie Moorhead, Isabel Withers, Jean Phillips, Edmund Egan, Leticia Lane, Edna Bennett, Pat West, Dan Brodie, John Hartley, Virginia McMullen, Ruth Chatterton, Dennis Kerr, Emma Tatum, Alice Baker, Brandon Tynan, George Bentley, Herbert Ross, Richard Carlson, George Devere, Louise Beavers, Frank Austin, Betty McLaughlin, Elizabeth Valentine, Susan Allen, Byron Fugger, Edward Earle, Charles McKay, James Fox, Smokey Samp, Ed Smiley, Arthur Twissell, Frances Morris, Norma Nelson, Paul Blanton, George Mander, John Kelly, Pave Morris, Eva Page, Frank Wayne, Dorothy Rogers.

THREE MEN FROM TEXAS (1939-41) release; western; producer, Harry Sherman; director, Leslie Selander; screen play, Marion S. Parker; based on characters created by Clarence E. Mulford; camera, Russell Harten; cast: Bill Boyd, Russell Hayden, Andy Clyde, George Egan, Thomas Edwards, Morris Ankrum, Dick Curtis, George Lottier, Glenn Strange, Neil Mori, Louis Villapio, Dennis Clark, Morgan Wallace.

PARAMOUNT PIX NEW IN PRODUCTION
NORTHWEST MOUNTED POLICE, comedy in Technicolor; producer-director, Carl B. Smith; camera, producer, William H. Pine; screen, director, Arthur Rosson; original screen play, Alan LeMay, John Lally, Jr., and C. Gordon Sullivan; camera, Victor Miller; Duke Green; second unit, Dewey Wright; cast: Gary Cooper, Madeline Carroll, Paulette Goddard, Preston Foster, Robert Preston, George Brent, Alvin Tarrant, Lynn Overman, Francis McDonald, Montagu Love, Lee Chaney, Jr., Regis Toomey, Walter Hampden, James Fox, Jimmy Dundas, Lora Chandler, Weston Herbert, Ethel Barry, John Hartley, Douglas Bates, John Bush, John Hart, Ted Mann, Berni Marston, Wally Bear, Jr., Phil Terry, Jack Ladin, Bud Geary, Eric Allen, Robert Ireland, Larry Lawrence, Bud Cameron, Jack Pennington, Steve Carothers, Jack Cravin, Emory Parnell, Ed Brady, Dick Rush, Walter Shears, Davison Clark, George E. Stone, Ken Thomas, Norma Nelson, Eva Page, George Regan, Alphonse Martell, Amanda Lambert, Ethel Big Tree, William Hinde, William Rosson, Ted Oliver, Colin Tapley, Douglas Kennerly, Richard Denning, Robert Ryan, James Fox, John Hartley, Earl Adams, Victor Park, Harry Semels, Harry Vejar, Tony Patton, Tony Merit, Leonard Frank, Fred McManis, Fred Rogers, Charles Stevens, Irene Coleman, John Laird, Jack Rutherford, Jim Porey, Donald Curtis, Russ Clark, Bob H. Apple, Albert Poller, Tony Martelli, Delmar Corbitt, Louis Rathbone, Clay De Kay, Dave Dundas, Dutch Hendrick, Jack Byrnes, Ed Brady, Ed O'Fallon, Herbie Brown, Richard Johnson, Lou Merrill, Charles Wyatt, Clara Blawie, John Powers, Yvet Stashy, John Merlon, Fay Van Delan, Jack Clifford, Alphonse Prie, Paul Simon, Anthony L. Caron, Julia Faye, Edith Mink, Major Fred Farrell, Cyril Ring, Sam Ash, Jane Kenney, Noble Johnson, Ray Mahe, Monte Blue, Chief Thunderbolt, Chief Vowles, Bill Wilkinson, Bill Hayden, Chief Thunderbolt, Frank Lockman, George Magill, Matt Curtis, Chuck Hamilton.

A NIGHT AT SAGE CANNOLL'S, musical; G.M.P. production; camera, producer, Earl Carroll; director, Earl Stromberg; no writing credits released; camera, Lee Tover; cast: Ken Murray, Rose Hobart, Blanche Stewart, Elvia Allman, J. Carroll Nash, Russell Hulse, William Davidson, Forbes Murray, Ralph Edwards, Allen Carson, George McKay, Lillian Cornell, Jack Norton, Thomas Bradley, Beryl Walker, Ruth Rogers, Betty McLaughlin, John Laird, Sam Ash, Kay Sutton, Mary Lee Cook, Frances McManis, Wanda McKay, Jess Phillips, Lela Moore, Emory Parnell.

CONAN RIDING THE MOUNTAIN, comedy; G.M.P. production; camera, producer, Bill Thomas; director, George Archainault; no writing credits released; camera, William Miller; cast: Bob Burns, Una Merkel, Pat Barrett, The Old Timer and Goldensleeve (from radio).

RANGERS ON A HIDE, drama; G.M.P. production; director, Joseph Santley; no writing credits released; camera, Charles Lang; cast: Robert Paige, Peter Hayes, Eddie Quillen, Frank Senter, Grace Macdonald, Virginia Dale, Carol Adams, Lillian Cornell, William Frawley.

TEXAS RANGERS RIDE AGAIN, western drama; G.M.P. production; director, James Hogue; no writing credits released; camera, Archie Stout; cast: John Howard, Elton Drew, May Robson, Randolph Croft, John Miller, Charles Grapewin, Anthony Quinn.

RANGERS OF FORTUNE, drama; producer, Dale Van Every; director, Sam Wood; no writing credits released; camera, Theodore Sparkuhl; cast: Fred MacMurray, Albert Dekker, Gilbert Roland, Patricia Morison, Joseph Schildkraut, Betty Bronson, Arthur Allen, Bernard Belfrage, Brandon Thomas, Dick Alexander, Paul Brown, Charles Middleton.

MYSTERY RAIDER, mystery (1939-41) release; producer, Eugene Zuker; director, Edward Dmytryk; no writing credits released; camera, Harry Frankel; cast: Henry Wilcoxon, Carole Landis, Gladys Stevens.

GIMMY WUM, musical drama (1939-41) release; producer, Paul Jones; director, Vic Schoerling; no writing credits released; camera, Ted Taitel; cast: Bing Crosby, Mary Martin, Bud Robinson, Oscar Levant.

RKO-Radio

	From	From	From	From	To Be	Scripts
Studio	10	11	12	13	14	15
Wardens	1	2	3	4	5	6
Ed Lester	1	2	3	4	5	6
The Play's	1	2	3	4	5	6
On the Way	1	2	3	4	5	6
Play's & Pin	1	2	3	4	5	6
U.S.P.	1	2	3	4	5	6
Major Pictures	1	2	3	4	5	6
(English)	1	2	3	4	5	6
Harold Lloyd	1	2	3	4	5	6
Stephen	1	2	3	4	5	6
Long	1	2	3	4	5	6
Belle Barry	1	2	3	4	5	6
Prod.	1	2	3	4	5	6
Wall Disney	1	2	3	4	5	6
Total	10	11	12	13	14	15

Picture is selling some or awaiting release:

TOM BROWN'S SCHOOL DAYS, a The Play's production; producer, Gene Towne and Graham Baker; director, Robert Stevenson; story, Thomas Hughes; adaptation, Walter Ferris; camera, Rick Marston; cast: Bill Centre, Harlowe, Freddie Bartholomew, Jimmy Lydon, Josephine Nicholson, Ernest Casari, Gale Storm, Billy Hayes, Mackie Green, Polly Moran, Alan Cross.

ANNE OF WENT FOLK, drama; producer,

(Continued on page 20)

Exhibs Toss It to H'wood

(Continued from page 1)

efforts. Admissions also, he says, can be raised on some films, lowered on others, and such a policy might prove helpful in encouraging better productions. He is critical, however, of prevailing theatrical trends, declaring, "I believe \$150,000 at the box would be saved on every 'A' picture without affecting quality adversely. The present price is rock-bottom. The exhibitor grumbles less at pictures than ever and yet pays more for them."

Pittsburgh Favors

Extension of Run

Pittsburgh, May 2.

Balance of local in Pittsburgh area is all for extended runs; general feeling being that resources of a lot of exhibitors haven't been properly tapped in the past. That opinion has been reflected here, too, in actual operations in the last year, particularly among the first-run, which up until late, 1939 within, considered holding a film beyond one week, no matter what gross it turned in.

WB, for instance, opened Ritz as a first-run in January 1939 with a policy of Warner while that house was playing "Come With the Wind." Now that "Come" has gone, however, Ritz has become almost exclusively a first-run and the Penn pix that originally might not be sufficient to rate a move to the bigger Warner. Harris might look over Senator, formerly Loew's Alhambra, year and a half ago to get rid of minor product, but has been persuading the majority of B pix to slip into the sales and is using Senator almost wholly to take over Alvin attractions.

There have been some complaints from the exhibitors, who insist that moving films to two different houses circulates around and third-time. Circuit operators, however, counter with statement that some price scale prevails all the way through.

Everybody's pretty emphatic that prices are as high as traffic can bear locally and that any attempt to raise them at this time would be suicide. As for exploitation, policy of late here has been to spend extra dough only on those films that have a chance to produce and let the others come in with just the regular starting.

John H. Harris, head of Harris Amusement Co., operators of 25 theatres in this territory, said:

"We are of the opinion that a good picture should be given all the extended time possible, and that is not positive. The difference between the gross of a good picture and a fair picture in a first-run house is tremendous even on the basis of hold-over weeks. The hold-over in the first-run house has not affected the gross in subsequent runs. The idea of holding a picture resulting in more to subsequent has not proved itself in any of our houses. It may be because films are released for subsequent runs of 21 days after close of first week, regardless of weeks a picture runs. In some spots I understand clearance starts at close of first run."

The matter of raising prices I do not believe is possible right now because of the Government tax over 40%. A raise to 10c is only a 2c increase for the theatre. If this was eliminated or the price moved up to 10c in effective only for higher prices I believe my first-run houses would increase their prices and subsequent runs could then increase them as well. The present tax at 10c is hurting theatres and preventing them getting a profit.

"We do all the exploitation possible on good pictures, but not on lesser ones. We definitely believe that it is a mistake to overplay a picture at all one that will not make good. It even is in selling a good picture at a later date. This is an over-all job usually only results in a first-day gross."

Harris Kalmann, vice manager for WB in this territory, says:

"We are extending runs everywhere, in first-run and neighborhood, too, on any picture that shows the slightest sign of being above average. Producers are excited to get much help from the exhibition end and in inquiring just a few extra dollars for them, we're encouraging the industry as a whole. In our Loew-WB pool here we might be charged with favoring only Warner and Metro product for extra playing time, but the records prove that we're doing just as much pushing with Paramount, RKO and UA, too. I don't think extending your first-run runs subsequent to this. Most of that extra first-run gross comes from an X quantity and I've always

found that holding a film longer downtown gives it a prestige that reflects in the subsequent gross. For instance, on a couple of pictures that played three weeks downtown, we scheduled only the regular time in the sales and in each case were later forced to extend the subsequent run because of healthy business. Prices are at the moment high enough. The needed extra revenue must then come from getting everything possible out of a picture."

Senator, two weeks longer, mid-city-class neighborhood, third run, 1,200 week.

"Occasionally I've extended my playing time on extra day and the drop hasn't been too noticeable. The so-called downtown milking isn't really milking at all. I think they're doing us a favor because my palmer will wait to see it here, no matter how long it runs downtown, and if it lasts three weeks or more, in much the better for us. We get it almost immediately after it closes first-run, and the big endowment advertising of the attraction downtown market is a lot easier for us to sell it."

Extended Midtown Run

Milk Pix, Minn. Play

Minneapolis, May 2.

Also Kaplan, owner of independent circuit of large Twin City neighborhood houses: "We're playing pictures now longer than we should. Invariably the last day of a three-day run is bad, but we're forced to the longer run by the fact that the distributors don't get enough good pictures to us, extended long engagements and mediocre product being among the reasons."

"Why talk about raising admission prices when most of the pictures aren't even worth the price we're now charging? Besides, the current prices are all that the traffic will bear. Neighborhood and suburban houses can't probably spend more on advertising and exploitation—for one thing, the distributor takes as much of his income that he has in the left to expend on anything. I do feel, however, that the producers themselves could spend a great deal of money profitably on an effective campaign to bring people back into the theatres. They've been weaned away from pictures by the radio, bowling and other amusements."

"I don't see any reason, either, for worry about the producers. Judging by earnings' statements, they still can lose a great deal of European revenue and make a great amount of money—much more proportionally than the average independent exhibitor. They'd better start worrying how to keep the independent circuit owner in business as they'll be losing a bigger amount of revenue than the European markets have provided. What with increasing film and other costs and declining intake, it's a serious problem for the exhibitor."

George Granstrom, owner of two St. Paul de luxe neighborhood houses, each seating approximately 1,000: "Neighborhood houses can't possibly increase playing time. There aren't enough people left attending the theatres, and the downtown extended engagements with the good pictures. Our business is off 25-30% through no fault of our own."

"There are too many poor pictures. One leading company which formerly delivered 12 more-first box-office pictures a season, for example, now comes across with only one and gets more money for its deal than before. The many former customers now sit home and listen to the radio and play bridge."

Exhibitors positively cannot absorb any portion of the European losses. These must be made up, in part, by reductions of stars and exorbitant salaries."

Admission can't be raised. In many localities, in fact, they should be lowered. Such radio programs as the Fox of Gold are raising picture prices with theatre attendance. The public gets too much free entertainment or watermarked at a lower cost than theatres furnish it."

More to be said.

Kiddie Nathan, owner of independent circuit of 15 mid-town houses and release exhibitor: "As far as giving greater playing time to pictures is concerned, there are numerous factors which must be taken into consideration. Among these are the total number of pictures which the exhibitor must play and the amount of percentage involved. To a greater or lesser extent, such fac-

(Continued on page 20)

**DERBY DAY IS OVER BUT THE
BIG RACE IS GOING STRONG!**



"BUCK BENNY RIDES AGAIN"... is out ahead of
"ROAD TO SINGAPORE" in New York, Chicago, Boston, San
Francisco, Seattle, Providence, Hartford and Kansas City!

**PUT YOUR MONEY ON THOSE PARAMOUNT WINNERS—
YOU CAN'T LOSE!**



Advance Production Chart

(Continued from page 18)

Cliff Brall, director; Jack Hyde, adaptation; Michael Kane and Jerry Cady from novel by L. M. Montgomery; camera: Frank Richmond; cast: Anne Shirley, James Ellison, Henry Thwait, Peggy Howells, Louise Campbell, Slim Somerville, Ethel Griffies, Minnie Dupree, Katharine Alexander, Alma Kruger, Joan Carroll, Maria Mae Jones, Ely Malyon, Clara Sheldrick.

FRANCE LAW, formerly **LOVE STAR LEGION**, western; producer: Bert Gilroy; director: David Howard; screen play: David Schneider and Arthur Jones from original by Bernard Macdonald; camera: Harry Wild; cast: George O'Brien, Virginia Vale, Dick Hogan, J. Farrell MacDonald, Slim Whitaker, Paul Everton, Glenn Ramsey, Henry Hall, Billy Fraser, Bud Osborne, Norma Montague, Carl Stockdale, Ferris Taylor, Bobbie Burns.

THE VILLAIN STILL PURSUED HER, comedy-melodrama; Harold E. Frankel production; director: Edward Chase; screen play: Albert Frankel; based on the old play, "The Yellow Slave," produced at Boston Museum in 1890; camera: Lucius Ballard; cast: Hugh Herbert, Anita Louise, Alan Mowbray, Stanley Rader, Joyce Campbell, Richard Cromwell, Billy Gilbert, Margaret Hamilton, John Wray, Frankie Paughon, Dan Fother.

YOU CAN'T FOOL YOUR WIFE, formerly **THE ROMANTIC MR. BINKLEY**, comedy-drama; producer: Cliff Brall; director: Ray McCarey; original: Ray McCarey and John McClell; adapted: Jerry Cady; camera: Ray Hunt; cast: Lucile Ball, James Ellison, Robert Conte, Emma Dunn, Virginia Vale, Elaine Shepherd, Faythe Brown, Charles Lane.

THOUSAND DOLLAR MARRIAGE, comedy; producer: Bert Gilroy; director: Leo Goodwin; screen play: Charles E. Roberts from original: Arthur Beckhard; camera: Jack McNamee; cast: Lane Bryant, Dennis O'Keefe, Adele Parry, Walter Catlett, Marjorie Glavin, Eddle Sanford, Tom Kennedy, Robert McDermott, Elsie Anderson, Frank Faylen, John Sheehan.

LUCKY PARTNER, formerly **BON CHANCE**, producer: George Raft; director: Lewis Minton; screen play: Alvin Scott from play by Seth Garmy; camera: Robert DeGraus; cast: Ronald Colman, Ginger Rogers, Jack Carson, Spring Byington, Billy Gilbert, Leonid Kinskey, Eddie Conrad, Lucille Gleason, Olin Howland, Sonny Rubin, Andrew Tomba, Tom Egan, Helen Lynd, Alex Riech.

DREAMING BUT LOUD, formerly **MONEY ISN'T EVERYTHING**, comedy; a Veeva Production; producer: Jack Vinton and Sam Collier; director: Harold Young; original: Bob Andrews and Barry Tyrer; screen play: Andrews, Tyrer and Howard Green; camera: Phil Tomora; cast: Lee and Alice, Frances Langford, Frank Craven, Bill Wallace, Irving Bacon, Robert Wilson, Donald Briggs.

MR. CHRISTIAN'S DUE, drama; a Stephens-Lord Production; producer: William Stephens; director: William McGowan; original screen play: Marion Orth; camera: John Allen; cast: Jean Hersholt, Edgar Kennedy, Dorothy Lovett, Frank Albertson, Ralph LaRocca, Vera Ann Borg.

HAVE IT YOUR OWN WAY, formerly **ONE OF SEX**, drama; producer: Rich Pomeroy; director: Ray Del Bull; original: Vicki Baum; adaptation: Tom Stanger and Frank Davis; camera: Joseph Arnold; cast: Margaret O'Hara, Louis Hayward, Lucille Ball, Virginia Field, Carl Edmund, Mary Carlisle, Maurice Mavoris, Katherine Alexander, Harold Huber, Ed Brophy, Louis Bressi, Ernest Truzy, Charles Chute, Lela Jensen, Lorraine Kruger, Emma Dunn.

MILLIONAIRES IN PRISON, thriller; producer: Howard Benedict; director: Ray McCarey; original: Martin Murray; adaptation: Frank Pomeroy and Lynn Hunt; camera: Harry White; cast: Lee Tracy, Linda Hayes, Virginia Vale, Truman Bradley, Cliff Edwards, Morgan Conway, Paul Guilfoyle, Thurston Hall, Shemp Howard, Chester Chase, Selmer Jackson, Horace McMahon, Elliott Sullivan, Thomas Jackson.

CHUCK CONWAY'S ROMANCE, drama; producer: Cliff Brall; director: Frank Woodruff; novel: Eleanor Brower; adaptation: Jerry Cady and Bert Gosselt; camera: Ray Hunt; cast: Gene Raymond, Wendy Barrie, Burton Churchill, Hedda Hopper, C. P. Huntley, Billy Gilbert, Tom Egan, Tommy Mack, Edgar Dearing, Frank Sully.

Republic

	From last week	Com- pleted	Re- leased	New to be released	To be released this week
Features	24	24	1	2	4
Westerns	24	24	1	2	2
Serials	4	2	2	1	2
Total	52	52	4	5	12

WOMEN IN WAR, drama; producer: Sol C. Siegel; director: John H. Auer; original screen play: Dora Anderson and F. Hugh Herbert; camera: Jack Marla; cast: Erik Jeno, Wendy Barrie, Mae Clarke, Patric Knowles, Dennis Moore, Pamela Randall, Barbara Pepper, Dorothy Peterson, Gwen Gaze, Peter Cushing, Stanley Logan, Colin Tapley, Lawrence Grant, Estelle Elmer, Marjorie Reynolds, Doris Stone, Anne Douglas, Joan Murray, Wally Davis, Lester Matthews.

THE ADVENTURES OF RED RYDER, 13-chapter serial; producer: H. S. Brown, Jr.; co-directors: William Whitney, Jack English; original screen play: Beverly Sorecky, Jack Gaur, Franklyn Adams, Ben Devlin, Norman Hall and Joseph Poland; based on Fred Harman's cartoon strip; camera: William Robbins; cast: Donald Barr, Tommy Cook, Bob Kortman, Al Taylor, Mally Roberts, Ned Brown, Aggie Gomez, Ken Tyrrell, Ed Cobb, Charles Hotchkiss.

DICTION DONT TELL, drama; producer: Sol C. Siegel; director: Bernard Vorhaus; original screen play: Dora Anderson, Joseph Mancure March and F. Hugh Herbert; camera: John Allen; cast: Charles Colson, John Wayne, Sigrid Gurie, Spencer Charters, Mary Ficht, Byron Frazier.

WAGONS WESTWARD, western drama; producer: Armand Schaefer; director: Lew Landau; original screen play: Joseph Mancure March, Harvance Jacobs; camera: Ernest Miller; cast: Chester Morris, Anita Louise, Jack Hunt, Douglas Fowley, Osa Munson, George Gabler, Hayes, Guiney The Boy Williams.

THE ROCKY MOUNTAIN RANGERS, western; producer: Harry Grey; director: George Sherman; no writing credits released; camera: Jack Marla; cast: Bob Livingston, Douglas Kennedy, Raymond Hutton, Sammy McEwan, Leroy Mason, Donald Moore, Pat O'Malley, John St. John, Rosella Treane.

THE CRACKED ROAD, thriller; producer: Robert North; director: Phil Rosen; original screen play: E. E. Paratore, Jr., Richard Blake, Garnett Weston; camera: Ernest Miller; cast: Edmund Lowe, Henry Williams,

Dora Harvey, Paul Fix, Arthur Loft, Claire Carleton, Charles Lane.

GARAGE OF CHICAGO, thriller; producer: Robert North; director: Arthur Lubin; original screen play: Earl Brown; camera: Edward Brodell; cast: Lela Lane, Lloyd Nolan, Marion Marlane, Astrid Allwyn, Dwight Frye, Horace Markham, John Harmon, Lenora Roberts.

GAUCHO SERENADE, western with song; producer: William Berke; director: Frank McDonald; original screen play: Betty Burbridge, Bradford Spence; camera: Reggie Lanning; cast: Gene Autry, Smiley Burnette, June Bruce, Mary Lee, Clifford Sewell, Lester Mathews, William Holt, Walter Miller, Hank Warren, Frank Meredith, Harry Strong, Joseph Crehan, Wade Boteler, George Lloyd, Smith Ballou.

Republic's Pix New in Production

GRASS IS GREY, comedy with music; producer: Armand Schaefer; director: Frank McDonald; original screen play: Dorell and Stuart McGowan; camera: Jack Marla; cast: Weaver Brothers and Elroy and Loretta Weaver, Lee Remick, Henry Kolker, John Hartley, George Ray, Uncle Dave Maize, Thorne Mason, Rachel York, Roy Acuff, and His Smoke Mountain Boys, Earl Dewey, Ferris Taylor.

CARSON CITY RITE, western with music; producer-director: Joseph Kane; original screen play: Robert M. Yon and Gerald Gersbach; camera: William Hadden; cast: Roy Rogers, George "Gabby" Hayes, Pauline Myers, Francis MacDonald, Bob Steele, Nash Berry, Jr., Hal Talbot, Hank Bell, Ted Bates, Chester Cox, Jack Kirk, Al Taylor.

20th Century-Fox

	From last week	Com- pleted	Re- leased	New to be released	To be released this week
Features	22	22	1	2	2

SARAH'S LADY, drama; producer: Sol M. Wurtzel; director: Allan Dwan; no writing credits released; camera: Ernest Palmer; cast: Henry Kelly, Jim Hall, Joan Davis, Katharine Aldridge, Dana Andrews, Wally Vernon, Gladys Blake, Charles D. Brown, Selmer Jackson.

EARTHQUAKE, drama; producer: Sol M. Wurtzel; director: Irving Pichel; screen play: John Howard Lawson, Samuel J. Engel; based on story by Basil King; camera: Lucius Ballard; cast: Warner Baxter, Andrea Leeds, Lynn Bari, Henry Williams, Charley Grapewin, Elizabeth Patterson, Russell Hulse.

STREET OF MEMORIES (1946-47 release), drama; producer: Lucius Ballard; director: Shepard Truzy; no writing credits released; camera: Charles Clarke; cast: Guy Kibbee, Lynne Roberts, Paul Hays, John McGuire, Robert Cornthwaite, Ed Gargan.

GIRL FROM AVENUE A, formerly **THE BRAY**, comedy-drama (1946-47 release); producer: Sol M. Wurtzel; director: Otto Brower; no writing credits released; camera: George Barnes; cast: Jane Withers, Kent Taylor, Eula Kaye, Katharine Aldridge, Jennie Ralph, Laura Hope Crews, Rand Brooks, Alma Kruger, Harry Shannon.

YOUNG PEOPLE (1946-47 release), drama with music; producer: Harry Joe Brown; director: Allan Dwan; no writing credits released; camera: Arthur Hildy; cast: Shirley Temple, Arlene Whelan, George Montgomery, Charlotte Greenwood, Jack Oakie.

GIRL IN HIS SHIRT, formerly **MILLION DOLLAR DIAMOND**, drama; producer: Sol M. Wurtzel; director: Ricardo Cortez; no writing credits released; camera: Edward Conner; cast: Kent Taylor, Florence Rice, Joan Valerie, Elvira Kunt, Katharine Aldridge, Dorothy Dearing.

MARYLAND, drama in Technicolor; producer: Gene Markay; director: Henry King; no writing credits released; camera: George Barnes, Ray Sternbach; cast: Walter Brennan, John Payne, Norma Joyce, Fay Bainter, Marjorie Weaver, Charlie Ruggles, Nellie Madril, Sidney Blackman, Ben Carter, Zack Williams, Robert Lowery.

NASH ON DRIVE (re-make of **NASH GIRL**) (1946-47 release); producer: John Stone; director: David Burton; no writing credits released; camera: Virgil Miller; cast: Virginia Glenner, Joan Davis, Robert Sterling, Ed McDonald.

LUCKY CIRCUS KID, western; producer: John Stone; director: R. Bruce Humberstone; no writing credits released; camera: Lucius Ballard; cast: Cesar Romero, Evelyn Venable, Mary Beth Hughes, Chris-Fris Martin, Dana Andrews, William Robertson.

LILLIAN RUSSELL, drama; producer: Gene Markay; director: Irving Cummings; no writing credits released; camera: Leon Shamroy; cast: Allen Faye, Don Ameche, Henry Fonda, Edward Arnold, Warren William, Lee Carville, Lynn Bari, Nigel Bruce, Una O'Connor, Helen Westley, Ernest Truzy, Walter and Fiddle, Eddie Foy, Jr., Mike Mander, Dorothy Peterson.

20th-Century Fox's New in Production

PIKE (1946-47 release), drama; producer: John Stone; director: Eugene Fonde; no writing credits released; camera: Virgil Miller; cast: Lynn Bari, Lloyd Nolan, Douglas Fowley, Robert Lowery, Joan Valerie, Chick Chandler, Oscar O'Hara.

BIGHAM YOUNG, drama (1946-47 release); producer: Kenneth Macgowan; director: Henry Hathaway; screen play: Lamar Trotti; based on story by Louis Bromfield; camera: Arthur Miller; cast: Tyrone Power, Linda Darnell, Inna Jagger, John Carradine, Brian Donlevy, Jane Darwell, Jean Rogers, Marjorie Olsen, Wilford Brimley, Mary Astor, Vincent Price.

FROM BOSS, drama; comic producer: Harry Joe Brown; director: Archie Mayo; no writing credits released; camera: Leon Shamroy; cast: Don Ameche, Mary Beth Hughes, Alan Curtis, Eugene Lesterovich, George Egan, Robert Lowery, Louis Breyer, Lorraine Stuart, Turhan Meyer, Sig Ruman, Christian Rub, Michael Ruckoff, Eleanor Westphall, Greta Meyer, Egan Brewster.

ELSA MAXWELL'S PUBLIC DEN NO. 1, comedy-drama (1946-47 release); producer: Gene Markay; director: Gregory Ratoff; no writing credits released; camera: Ernest Palmer; cast: George Murphy, Brenda Joyce, Michèle Auer, Charlie Ruggles, Elsa Maxwell, Ralph Bellamy, Maxie Rosenbaum, Burton Churchill, Franklin Pangborn, Lloyd Corrigan.

THE RETURN OF FRANK JAMES, in Technicolor (1946-47 release); producer: Kenneth Macgowan; director: Fritz Lang; no writing credits; camera: George Barnes and William Hall; cast: Henry Fonda, Andrea Leeds, Jackie Cooper, J. Edward Bromberg, Henry Hall, Donald Mack, Eddie Collins, John Carradine, Charles Tannen, Ernest Whitman.

I MARRIED A HAIL MALLER (1946-47 release), producer: Raymond Griffith; director: Irving Pichel; original story: Gust Schlegel; camera: Faverell Marley; cast: Joan Bennett, Richard Greene, George Sanders, Johnny Russell.

(Continued on page 22)

Exhibs Toss It to H'wood

(Continued from page 21)

has most govern and determine the exhibitor's policy.

"Admission prices now are at a very high level, considering general business and economic conditions and the fact that picture theatres enter to the masses and require volume. I feel that a boost would be felt."

"There is no doubt, in my mind, however, that full exploitation possibilities are not always realized. Without increasing expenditures materially, if at all, there are many instances where more can be done than to sell pictures through various parts of the week. At the same time I do not believe that advertising and exploitation costs can be increased substantially and make for any greater net profit."

"The first thing that producers must do in view of the curtailment of European markets is to cut down expenses at Hollywood. I might point out that spending a great deal of money on a picture doesn't necessarily mean that it will be a good one."

One of the oldest and most successful independent circuit owners, who declined to permit the use of his name: "The fighting in reducing playing time, instead of increasing it. The problem is at the studio, where extravagant salaries are paid to executives who don't earn and aren't worth them and where money is wasted shamelessly otherwise, too. In England they won't permit this, quite because one of the leading company's managers receives a \$10,000 a year salary, which is more than is paid to most cabinet officers and government officials. Look at the money being drawn in this country even by executives who give little time to the business, but hold down chairmen of boards posts. An entire army of motion picture company executives is drawing higher salaries than are paid to our national government officials. However, there's no prodigality in the distribution end. The highest paid exchange head in the Twin Cities, who does \$1,000,000 a year business, receives only \$18,000 a year. In any other line he'd be paid at least \$25,000."

"I believe \$10,000, at the least, could be saved on every A picture produced without affecting quality adversely. The present setup is encumbered. The exhibitor grows lean on pictures than ever and yet pays more for them."

"As far as admissions are concerned, they should be raised for some pictures and lowered for others. Instead of being stationary, the admission scale should fluctuate according to the picture. This might help to increase producers' revenues and also might prove an incentive to the production of better product."

Mildred Valla (owner of independent circuit of Twin City deluxe neighborhood houses): "The picture that should have extended running time in the neighborhood now are milked downtown and don't do business for us as a rule. We do best, for the most part, with movies that have merit, but which didn't get much consideration from the public while playing in the loop and which didn't run for more than a week downtown."

"As far as the Twin Cities are concerned, the admission price ceiling is established by the producer-owned loop theatres. If the downtown first-run theatres raised their prices it would help us and eventually we might be able to follow suit. Now we have to play our pictures 42 or 48 days after first-run loop houses charging the same or lower admissions. We're doing as much exploitation and advertising as is practicable. The only way for producers to offset European losses is to turn out better pictures and cut their costs."

HIGHER TYPE PICTURES
Now Drawing in Ind.
- Anderson, Ind., May 1.
John Hammacher, assistant manager, Riviera (second run, RKO estate) Anderson, Ind., member of the M. S. Swift & Sons, Inc., Indiana-Kentucky independent chain:

"Naturally, we'll extend whatever possible because it saves money. But in this overworked town a holidayer will die horribly unless announced loudly in advance of the actual play-date. This theatre plays very few percentage pictures a year, and even a one-day extension cutting into our three changes a week is liable to break completely."

"Double features should have any hope of survival, and we believe ex-

tended playing time after the date is announced is entirely out of line in a city of this size. Extended preview runs periods for first-run theatres are, of course, as much meaningless from our standpoint. If the house is attractive and the show is sold properly, an exhibitor can get maximum results without any protection."

"There's a very small possibility of raising admissions here. Our top just won't stand a boost."

"Added exploitation for each picture isn't adaptable to a second-run house of this size. We do an extra exploitation whatever, feeling that the public has already decided upon the merits of a picture before we play it."

"Producers would do well to remember the old saw about either not buying tickets. We usually don't on article pictures and park them in to the cycle as such little-regarded films as the 'Blondie' and 'Jones Family' series. Therefore we think producers should be reminded into remembering that they're selling entertainment, not education. The public taste is too low to hope for much in the way of advancement of the cinema, although we do hope that people will go for a slightly better picture than in the old days."

'No Exhib Aid Till Prods. Clean Own Houses First'

Memphis, May 1.

M. A. Lightman, for years president of MPTIDA and operator of this sector's largest independent circuit, says extended playing time is a possibility, but only as a partial answer to the problem.

"I am very doubtful that admissions can be tapped at this time," he said. "The public is perishing all it can afford to pay in the mean."

"Better exploitation may help in some spots where pictures are being poorly exploited at present, but this does not provide a general solution. There are many places where the live wire showmen are doing a fine job and could not wish another nickel out of the pictures with extra selling."

"It seems obvious to me that we ought to go to the source of the trouble—production—and find the real trouble, which concerns the extravagant manner in which Hollywood makes pictures. Necessity is the mother of invention and if the producers don't find other ways to meet the situation, they will have to check home at home."

"We cannot have inferior pictures, but we must have product made for less money. There is no necessity in the world for hiking terms or admissions or playing time, but there is a necessity that we stop hiking production cost. We must do an about-face in this respect and the big show must lead the parade by taking less money. A halt has to be called somewhere and that's the one place we are overboard."

STOWELL CRITICALLY HURT IN AUTO CRASH

Harry C. Stowell, who managed the Paramount, Middletown, N. Y., up to about three weeks ago, when management of two houses there was taken over by St. Fabian under a pool, is reported in serious condition following an auto collision outside of Middletown.

He suffered several broken ribs, a severely injured chest and head injuries. Stowell had left Middletown and was planning to drive to Syracuse, N. Y. Accident occurred Sunday, April 26.

N.Y.U.'s 3-Reeler

Education Film Institute of New York University has produced a three-reeler on technological unemployment which it is preparing to offer for general distribution in about three weeks. Max Ellman is now working it.

Called "Valley Town," it was made by Willard Van Dyke and features Herb Rudley, legit player, and Gene Stanton, who's been in legit and other documentaries.

SALKOW'S SUE DEAL

Hollywood, May 1.
Edwin Salkow moved over from Columbia to direct "The Girl From God's Country" at Republic, starting May 12, with Armand Schaefer producing.

Salkow's Columbia picture's picture music deals.

SATURDAY'S CHILDREN

SUN

MON

TUES

WED

THUR

FRI

IT'S THE KIND OF MASS-
APPEAL ATTRACTION
EVERY AUDIENCE TAKES
TO ITS HEART!



JOHN GARFIELD

(Miles ahead of anything he's done!)

ANNE SHIRLEY

'SATURDAY'S CHILDREN'

with CLAUDE RAINS

ROSCOE KARNs • LEE PATRICK • DENNIE MOORE

Directed by **VINCENT SHERMAN**

Screen Play by Julius J. and Philip G. Epstein • Based on the
Play by Maxwell Anderson • A Warner Bros. First National Picture



The play was
a record breaker
—and the picture's
even better!

**FOR SHOWMANSHIP,
WARNER BROS.**

FILM BOOKING CHART

(For information of theatre and film exchange bookers Vantage presents a complete chart of feature releases by all the American distributing companies for the current quarterly period. Date of release as given by Vantage and the running time of prints are included.)

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Key to Varieties.—(Directed to Variety) Key to True Bicolorations Key to True Bicolorations
N.—Narrow; E.—Elongated; C.—Cuneate; D.—Dumb; W.—Wedge; S.—Square; R.—Round; O.—Oval; P.—Pentagon; T.—Triangle; L.—Linear; S. V.—Shading Year

[illegible]

WEEK OF RELEASE	Reel No.	TITLE AND COMPANY	TYPE	TALENT	R. T.
8/9/40	2/12	OUTSIDE 3-MILE LIMIT (Cul)	M	J. Hall-L. Ware	84
	2/12	GHOST COMES HOME (M-G)	C	A. Hollister-F. Morgan-B. Burke	78
	2/12	DEADLY MONSTER (M-G)	M	R. Ligon	78
	4/1	SHOOTDOWN (Par)	W	W. Boyd-R. Hayden-B. Wood	82
	4/1	ISLE OF DESTINY (RKO)	D	W. Morgan-W. Ford-L. Long	82
	4/1	SAHIBAN (C)	D	J. Craig-L. Lane	88
8/12/40	2/14	MEN WITHOUT SHIELDS (Cul)	D	R. Holman-J. Liles-B. MacLean	88
	2/14	YOUNG TOM COOPER (M-G)	MD	M. Rooney-F. Galtier-G. Gussard	88
	2/14	MINORITY LIVES (M-G)	M	J. King-M. Reynolds	88
	2/14	WOMEN WITHOUT NAMES (Par)	M	E. Brown-M. Paige-J. Barrett	88
	2/14	MILLIONAIRE PLAYBOY (RKO)	C	J. Penner-L. Hayes	88
	2/14	PIONEERS OF THE WEST (RKO)	W	R. Livingston-B. Hatten-N. Berry	88
	2/14	GRAPES OF WRATH (M-G)	D	B. Fonda-J. Darnall-J. Carruthers	88
	2/14	MAKING EYES AT ME (C)	MC	C. Moore-T. Brown-B. Cato	88
	2/14	NARRIVA (UA)	M	E. Anderson-L. Oliver-J. Finkbeiner	128
	2/14	3 CROWNED FOR IRISH (WB)	CD	F. Lane-T. Mitchell-B. Morgan	128
8/12/40	2/18	TOO MANY HUSBANDS (Cul)	C	J. Arthur-F. MacFarlane	88
	2/18	ROAD TO SINGAPORE (Par)	MD	B. Crosby-B. Lawrence-B. Sage	88
	2/18	PHOTOGRAPHY (RKO)	D	G. Rogers-J. McVey-M. Gaudin	88
	2/18	FUGITIVE GIRLS (RKO)	D	L. Fitch-B. Woods-W. Gibson	88
	2/18	THE BLUEBEARD (M-G)	MD	S. Temple-B. Syngman-B. Bruce	88
	2/18	IT'S A DATE (C)	MD	R. Durkin-B. Francis-W. Pidgeon	128
	2/18	VIRGINIA CITY (WB)	W	E. Flynn-B. Heston	128
8/19/40	4/19	SON OF THE NAVY (M-G)	C	J. Parker-J. Dunn-M. Spallone	71
	4/19	THE FARMER'S DAUGHTER (Par)	C	M. Raps-C. Ruggles-B. Denning	68
	4/19	GHOST VALLEY RAIDERS (RKO)	W	D. Barry-L. Andre-L. Huan	67
	4/19	RANCH GRANDE (RKO)	W	G. Avery-B. Barretto-J. Barry	68
	4/19	FREE, BLONDE AND 21 (M-G)	C	L. Bar-J. Davis-B. Wilkins	71
	4/19	OVER THE MOON (UA)	C	M. Gibson-B. Harrison-M. Dellen	71
8/19/40	2/12	BLAZING THE SHOOTERS (Cul)	W	C. Harrell-L. Meredith	81
	4/1	AND ONE WAS BEAUTIFUL (M-G)	D	J. Hall-L. Day-B. Cummings	81
	4/1	TWO GIRLS ON BRADWAY (M-G)	MD	J. Turner-J. Hamilton-G. Murphy	74
	4/1	TOMMY (M-G)	C	J. Brown-N. Jones	74
	4/1	ADVENTURE IN DIAMONDS (Par)	MD	G. Brand-L. Miranda-J. Lader	71
	4/1	COURAGEOUS DR. CHRISTIAN (RKO)	D	J. Harrell-B. Lovett-F. Best	81
	4/1	STAR DUST (WB)	CD	L. Barretto-J. Payne-M. Young	81
	4/1	HALF A HUNTER (C)	D	M. Angel	81
	4/1	ONE MILLION B. C. (UA)	D	L. Chaney, Jr.-T. Mahoney-C. Landis	81
	4/1	IT ALL CAME TRUE (WB)	CD	A. Sheridan-J. Lynn	81
8/19/40	4/1	MAN WITH NINE LIVES (Cul)	MD	R. Harrell-B. Pryor-J. Rogers	71
	4/1	DR. KILDARE'S STRANGE CASE (M-G)	MD	L. Ayres-L. Barrymore-L. Day	74
	4/1	CHECKED WAGON TRAILS (M-G)	W	J. Hamilton-L. Galtier	67
	4/1	DR. CYCLOPS (Par)	D	A. Barker-J. Logan-T. Okey	71
	4/1	HI-YO SILVER (RKO)	W	Hi-Yo Silver-L. Fennell-L. Roberts	68
	4/1	VIVA CHICO BIRD (RKO)	MD	C. Rogers-J. Rogers-B. Fields	74
	4/1	HOUSE OF SEVEN GABLES (C)	D	M. Lindsay-G. Sanders-Y. Fyles	67
	4/1	KING OF THE LUMBERJACKS (WB)	M	J. Payne-G. Dickson	68
	4/1	YOUNG BUFFALO BILL (RKO)	W	B. Rogers-G. Wayne-P. Moore	68
8/19/40	4/1	I MARRIED AN ADVENTURER (Cul)	D	Mrs. Dag Johnson	81
	4/1	COLORADO TRAILS (M-G)	W	Tex Ritter	81
	4/1	ARE LINDSAY IN HAZARD (RKO)	MD	B. Hanes-B. Gordon-M. Howard	128
	4/1	JOHNNY APOLLO (RKO)	MD	T. Power-B. Lawrence-B. Arnold	81
	4/1	SAPS AT SEA (UA)	C	B. Lovett-G. Hardy	67
	4/1	SMOKE AGENT (C)	D	J. Cromwell-B. Vinson	67
	4/1	TILL WE MEET AGAIN (WB)	MD	M. O'Brien-G. Ross	128
	4/1	IN OLD MEMORIES (RKO)	MD	Walter Reed-Kirby-J. Barry	67
	4/1	LIGHT OF WESTERN STARS (Par)	W	V. Jory-J. A. Rogers	68
	4/1	DARK COMMAND (RKO)	W	C. Turner-J. Wayne-W. Pidgeon	68
8/20/40	4/1	DOCTOR TAKES A WIFE (Cul)	CD	L. Young-B. Wilson-G. Fitch	81
	4/1	FURTY LITTLE MOTHERS (M-G)	CD	E. Conner-B. Morgan-B. Johnson	81
	4/1	MYSTERY MR. SCENES (M-G)	MD	W. Fyfe-G. Walsh-L. Harding	67
	4/1	FRENCH WITHOUT TEARS (Par)	C	E. Brown-M. Hillard	67
	4/1	CURTAIN CALL (RKO)	MD	B. Reed-J. Archer-A. Newberry	81
	4/1	COVERED WAGON DAYS (RKO)	W	R. Livingston-B. Hatten-B. Brinkley	81
	4/1	SHOOTING STAR (RKO)	D	J. Williams-G. Allen-M. Weaver	81
	4/1	AN ANGEL FROM TEXAS (WB)	C	E. Albert-B. Lane	81
	4/1	GRANDPA GOES TO TOWN (RKO)	CD	J. Galtier-L. Gibson-B. Davidson	81
8/20/40	4/1	BLACK 'N' RIDES TONIGHT (Cul)	W	Bill Elliott	81
	4/1	BEHOLD (RKO)	MD	A. Seagle-B. Wilson-B. Young	81

Writers, Studios Standoff

Continued from page 1

of Hong Lander, Jr., White Kaufman and Fred Simkins.

Paul Price has been called in by the SWG to handle public relations for the writers during their negotiations with the producers. He was hired on a 10-week deal, which indicates the SWG is not expecting to make a quick agreement.

Advice Put to Test

The Screen Actors Guild is conducting a series of tests for Class B members that may call for reclassification of a his percentage of 7,000 registered extras. Nearly 2,000 extras have already been put through their paces to ascertain their ability. Tests now are being arranged for other material classifications. The major studios and Cynetic Coding Corp. are cooperating. Tests are being held under the supervision of John "Red" Burger. SAG wants reclassification.

In the meantime, the SAG is holding up demands for wage increases and reclassification of extras to get a push at the report of the Producer-SAG Standing Committee, which will be handed in the last of this month. This is the first economic survey ever made of the extra situation and will be used as a guide by both Central Casting and the SAG.

The proposal to give the extra autonomy under a separate local is now a dead issue. Following protests from Democrats of extra, the SAG Class B Council adopted a resolution asking SAG to forgo the autonomy plan and to resume negotiations with the Fishermen. Kenneth Thomson, SAG executive secretary, said better conditions would be demanded for the extra, but that details would not be worked out until the Standing Committee reports.

The American Federation of Labor Conference of State Unions is telling the Producers to forget their request for termination of recent 10% wage increases and to get ready to take conditions. In a letter to T. Frank Freeman, proxy of the Producers Association, J. W. Bussell, vice-chairman of the Committee, asked for an early meeting with the Producers. Action was taken shortly after the return from Chicago of Allen N. Newman.

Chicago of Harry H. Houston, international representative of the International Alliance of Theatrical Stage Employees. While east, Houston said he discussed LAYNE affair with press George E. Browne and

Willie Bush, former Coast Guard board of the organization, who is now setting a six-month jail sentence in Chicago on a misdemeanor conviction.

Other members of the Conference Committee which will meet with Russell are A. H. Pearson, AFL organizer; Walter Reuther, international representative of the United Automobile Workers; and Jim Mohr, mayor of the International Brotherhood of Local 828. Mohr received Hoff

The Conference also is demanding that sports like football give AFL unions a say in all matters regarding what they are now receiving under their minimum bargaining agreements. These include such items as, hair styling, golfers, painters, cameramen, etc. They did not share in the recent lockouts.

James Farley, who was hoped by Hoff to keep the latter's name on the front page of Coast newspapers, has checked out of the IATSE office in join staff of Russell Midwell.

Herbert Soreff, business representative of Hovsey Picture Painters Local 444, has turned to the National Labor Relations Board with membership application. Soreff filed with Local 444 19 copies of same artists. These will be forwarded to the board in Washington for consideration in membership with the petition of Local 444 in petitioning as bargaining representative for the union artists. Jurisdiction also is claimed by the Screen Actors Association.

Howard R. Phillips, vice president of Central Casting Corp., has started a series of conferences with studio executives and writing directors which he said may result in clearance of all calls for extras through Central. This would include independent contractors who now do their own hiring or work through booking agencies. He also announced the telephone company has been asked to make a survey to determine if calls for extras can be limited to certain hours. This would eliminate the necessity of an extra remaining at his telephone for 18 hours. Central call board now being open from 1 a.m. to 8 p.m.

ENLIGHT'S 'RIVER'S END'

Hollywood, May 1.
Warners picked Ray Beright to direct 'River's End,' currently in the process of casting.
Shooting starts this week.

New York Theatres

GONE WITH THE WIND
 Starts this afternoon at 2 o'clock.
 5 P.M. and 7 P.M. showings at
 advanced prices...at least until Sat.
ASTOR
 ALL SEATS RESERVED
 Times Daily 2:30, 6:45 p. m.

"IF I HAD MY WAY"
 With Doug CRUICK and Gloria JEAN
 LUTY GAYTON RIVOLI Broadway at 42nd St.
 Every Night 8-11 P.M. MICKEY ROUSE

PARAMOUNT
 HELEN OWEN
 "Buck
 Benny
 Rides Again"
 Gene Harte
 and Co.
 Comedy Novelties
 and Sketches
 Release Bruce Shans.

State **WHEEL**
Last Show With
"THE
TOM KILPATRICK"
At Forum
206 N. LAUREL
St. Louis
Mo. 640
"ROAD TO
ROMA"
In Forum
Northern Bluffs
206 N. La.
St. Louis
Mo. 640

Capitol
Presenting
"20 MULE TEAM"
Starring WILLIAM BRENT
A Motion Picture by Mayer Films

THERE'S A
 BETTER SHOW
 AT THE

 TREATIES

SECOND WEEK!
JOHN GARFIELD
ANNE SHIRLEY
in
'SATURDAY'S CHILDREN'
A New Warner Bros. Screen
IN STORIES
CUY LOMBARD
and His Royal Canadians
STRAND Broadway

MUSIC HALL
MY SON, MY SON
Sensational Stage Productions

Omaha, May 15-18 * GRACIE ALLEN FOR PREZ * Golden Spike Days

"HOWDY, GRACIE!"

OMAHA WELCOMES YOU

Omaha, Nebraska has put on her best bib and tucker to welcome Gracie Allen...the "peepul's choice"...to her Golden Spike-Surprise party convention, to be held in Omaha, May 15-18.

Here in Omaha we're particularly proud to have folks like Gracie Allen and George Burns visit us. They stand for the kind of clean entertainment of which the American family is appreciative. Any sponsor can be proud of Gracie and Georgel. So.....Welcome, BURNS AND ALLEN. We're glad you're coming, and we hope you like the town as well as the town likes you.

Gracie may not make the White House, but she certainly will make thousands of friends during Golden Spike Days in Omaha.

A Greeting by the

Citizens of Omaha

VOTE FOR GRACIE ALL DAY LONG!

AIR ACT'S ACE BALLYHOO

British Radio Discovered B & A

Later, in N. Y., George Burns' Gulp, When Offered \$750 By Mort Milman, Was Worth Another \$250

By JACK HELLMAN

Hollywood, May 1. George Burns and Gracie Allen have come a long way in 14 years. From humble beginnings as vaudeville troupers they climbed the ladder of success, rung by rung, and now reside snugly and securely on the top stand. It wasn't as easy as all that, they'll tell you, and their struggle parallels many others who have come up from small time to the gliding circle of the nation's top earners.

Burns and Allen started their theatrical careers about 18 years ago, but 1,600 miles apart. Trunking back over the years, theatre-gone-of that day saw Gracie as an Irish catfish, her hair in a bun, doing jig and dance with the Larry Riley Co., then a standard turn on the coast circuit. Burns at that time was teaming with Billy Lorraine in a song and dance act, which they broke in at Red Bank, N. J. The weekly paycheck for the duo was \$125, which wasn't exactly buy to a pair of youngsters bent on a career in the two-a-day. From there the act went out on a route that listed Atlanta, Birmingham and a few others scattered in Pennsylvania. "We also played some small towns," Burns cracks.

Meanwhile the Riley aggregation moved east and when the props were unpacked at Hoboken, N. J., Gracie upped and demanded billing as joint of leaving the show. Riley countered by dropping the "and Co." and Gracie pulled out. She took up lodging at a trouper's hotel just off Times Square, where she met up with Mary Kelly, of the team of Swift and Kelly. That same Miss Kelly is now with the Burns and Allen air troupe, better known as "Bubbles." Jobs were scarce despite the efforts of Miss Kelly and another vaudeur, Rene Arnold, now operating a school in New London, Conn., to get Gracie back into show biz. Weeks passed and still no call as she decided to give up the stage and become a stenographer. She started a course in typing and shorthand and for a time it looked like vaude was in for one of its most promising comedians.

A New Team Is Born

Into New York from Union Hill, N. J., came the act of Burns and Lorraine and on the same bill in a comedy act was Miss Arnold. Flaming hockey from her typewriter, Gracie smashed backstage to see Miss Arnold, who introduced her to Burns. The team of Burns and Lorraine was on the verge of calling it quits and Burns propositioned Gracie as working with him. She took him up that fact but the pair couldn't get together on material. Burns had the better act of the two but it required a \$250 drop. Such important rule couldn't be rustled up as they compromised on Burns' act, which required no such expensive prop.

It was 14 years ago that the team of Burns and Allen took its first bow at the 1111 Street Theatre in Newark. The pay envelope for three days was marked \$15. The theatre was so sold that Burns took occasional sips of a bottle of gin to ward off frostbite. And then came the day they never read lines before, being booked up to that time to be just a long-and-dance man, and needed something to stimulate his courage. Burns decided to show up in the lounge manager as he was the almighty who could cancel on a day's notice. He preferred the battle to that worthy and after taking a heavy quail of the giggle juice the manager ordered Burns and Allen moved from No. 3 spot into next to closing. They next moved over to the Myrtle Theatre in Brooklyn for four days and \$12.

Burns likes to recall that their last was called the "disappointment act," a crude term for trouper who stand by waiting for an actor to die or break a leg so they could be called in to replace. "Something was

(Continued on page 21)

This Week's New Act

(The following review is reprinted from the Aug. 10, 1935, issue of VARIETY.)

BURNS and ALLEN
"Lamb Chop" (Comedy)
17 Min.; One
Patrol (St. Victor)

George H. Burns and Grace Allen have a new skill in "Lamb Chop," by Al Slaughter: funny stuff, almost actor-prone, but further enhanced by the team's individual contributions.

Allen Allen is an adorable "ditz" with an insatiable appetite. Burns tells and winks at the camera, and the laugh returns are fast and many. They dance off before the routine ends, which brings him back for a bit wherein he recites on a prop on the stage "Teasing" his partner.

A light comedy interlude for the best vaudeville. Abel.

SHOWMANSHIP KEYNOTE IN OMAHA

By FRANK F. FUGATEE
(Commissioner, Omaha Chamber of Commerce)

Omaha, May 1. When George Burns and Gracie Allen step off their Presidential Special in the Union Station here a week from today, on May 14, they will find themselves whisked back into the wild and woolly days of 1880.

Fully one-half of Omaha's 225,000 inhabitants will be in 1880 costume, and at least 25,000 of the main citizens will be sporting beards. Modern shows will be masked by false store-fronts of Civil War vintage, and the streets will be filled with old horse-drawn vehicles. Toga, hats and real Indians will be very much in evidence.

Omaha was a lively and colorful town in pioneer days, and the annual Golden Spike Days celebration will recreate that gaudy and full-blinded era, if only for a week or two. The event is for the express purpose of glorifying the old days and American ways.

What are the civic dividends from such an activity? Crowds, of course. Last year we clocked 100,000 people coming to Omaha for private automobile for Golden Spike Days. At least half that number came by train, bus and plane. And crowds spend money—they have to, in order to eat, move around and amuse themselves. We attempted no survey of expenditures in Omaha last year. We know that retail business, particularly in the heavy lines, suffered, because people were fun-motivated and you couldn't get them out of the streets long enough to talk serious business to them. But business before and after Golden Spike Days was excellent, and even though they took a looking, comparatively speaking, our retailers are among the most prosperous supporters of the celebration.

Dividend No. 2 was publicity. It is safe to say that the 1935 Golden Spike Days, featuring the premiere of Cecil B. DeMille's "Union Pacific," made every important newspaper, news magazine, picture magazine, movie screen and radio station in America. What is publicity worth? We can't answer that, but we have answered that the community which set publicity mostly flourish. Those that don't usually dry up. We want publicity in Omaha, and we have found that the way to get it is to make things happen—big, spectacular, colorful things.

Dividend No. 3 was a good time.

(Continued on page 21)

OMAHA ALL OUT FOR COMIC DUO

Burns and Allen Caravan
From Hollywood Climax
of Nebraska Community's
Sack Week of Big Dealings

'OLD HOME WEEK'

By ROBERT J. LANDRY

Last week in Columbus, Ohio, the Institute for Education by Radio met under the auspices of Ohio State University. Panned at the various roundtables were education and clergy, propagandists and clubwomen, writers and directors, pressure group representatives and G-men. They had conflicting viewpoints from beginning to end but it is significant that all of them agreed on at least one point:

"It doesn't even a thing if it hasn't got showmanship."

Omaha, it seems, has showmanship. (Burns and Allen always did have.) Omaha during the coming week (13-15) will give the country a particularly vivid demonstration of a modernized, streamlined, nationally dimensioned "old home week." The latest of show business and ballyhoo merchandising in the Golden Spike celebration, with its "Gracie Allen for President" stand, has been focused with considerable professional admiration and the assessment that showbiz is inevitably lost when they are their ideas exploited and embellished by municipalities. The Omaha celebration may appropriately serve as a reminder that other communities, such as New Orleans, Kansas City, Memphis, Holland (Mich.), Portland (Ore.), have discovered and exploited, often with commendable craftsmanship, the basic premise of entertainment: Let-the-people-be-entertained.

Cash Register Music

Omaha is doing its best to let the people become excited. This should result in an influx of people and money but beyond the storm of times played on cash registers there are other, more subtle, values which Messrs. Alvin E. Johnson and Morris E. Janssen of the Omaha celebration committee have pointed out. "Good feeling" between all classes of a community is promoted by a festival, a Mardi Gras, a glorified luck. Moreover, the business revitalization factor is important. So it's not lacking an abstract or highbrow point to say that the Omaha effort is more than a showman's stunt. It's a contribution, along with others of its kind, to the modern American technique of joint activity for common causes. That might fit in somewhere as a legitimate place in the quest for democracy.

Banker Its Showmanship

Johnson, a banker by profession, remarks:

"Out-of-town people favorably impressed by a city's hospitality and friendliness remember that fact for a long time. I am told that there is a slogan, of show business, 'Start them coming and keep them coming.' The same thing holds true with a city."

"Visiting is a city, entertained with a good show, will return to that city again for shopping, business transactions and even for permanent residence. Good will follows good entertainment, and good business follows good will."

Look at Golden Spike Days from the standpoint of organization and operation: the management is basically no different than that of operating a store or a bank. Departments are established, proper budgeting applied, responsibilities delegated and the show goes on.

The banker's point about united action putting across a selling cam-

Giving Omaha Oomph

Golden Spike Events

Omaha, May 1.

SUNDAY, MAY 12

All Day—Everybody's Fun, Elmwood Park. This carnival-valued for Golden Spike Days features family gatherings, games, contests and fun. Highlighted by a top-of-war between bearded and clean-shaven men.

6:15 p.m.—A good, old-fashioned head count.

7:45 p.m.—Community Sing. Dressed in Golden Spike Days costumes, thousands of persons raise their voices in Mother's Day ballads.

MONDAY, MAY 13

8:00 p.m.—Omaha Council of Whisker Club Jambores, Ab-Sar-Ben Coliseum. Two-hour novelty program, including singing, comedy acts, entertainment highlights, followed by whisker club costume ball. (Admission limited to whisker club members and families.)

TUESDAY, MAY 14

4:00 p.m.—Arrival of the Union Pacific's Gracie Allen and George Burns Golden Spike Days Presidential Special. Colorful parade from the station to hotel.

7:30 p.m.—Unveiling and judging of historical display windows, downtown. Stores and business concerns all over the city elaborately decorated with a special content for historical window displays.

8:00 p.m.—Official opening of Indian Village and Historical Exposition, Municipal Auditorium. Gracie Allen and George Burns accepted into the Omaha tribe of Indians and crowned with feathered head-dresses.

WEDNESDAY, MAY 15

10:00 a.m.—Indian Village and Historical Exposition, Municipal Auditorium. Open daily and evenings through Saturday.

5:00 p.m.—Hinds Honey & Almond (Young & Rubicam) network broadcast, Ab-Sar-Ben Coliseum. Thousands of people in Golden Spike Days costume witness B. & A. broadcast in the western hall of the nation. (Repeat at 8 p.m.)

THURSDAY, MAY 16

10:00 a.m.—Military Parade, downtown streets. Representatives of all of the nation's armed forces.

8:00 p.m.—Gracie Allen-for-President torchlight parade of the Omaha Council of Whisker Clubs, downtown streets. Thousands of bearded men in costumes sweep Gracie into office.

FRIDAY, MAY 17

10:00 a.m.—America—The Land of Freedom Parade, downtown streets. A score of decorated floats symbolizing America as the land of freedom and opportunity. A dozen gigantic and grotesque balloon figures never before exhibited in the Midwest, depicting comic strip and Mickey Mouse characters.

1:15 p.m.—Luncheon for guests and visitors, Hotel Fontenelle.

8:00 p.m.—Gracie Allen-for-President national surprise Party Convention, Ab-Sar-Ben Coliseum. A full evening's program of comedy highlighted by Gracie Allen and George Burns.

SATURDAY, MAY 18

10:00 a.m.—High School Bands Parade, downtown streets. Dozens of bands, drum corps and marching units from all over the midwest in a colorful array of expert youthful musicians.

1:00 p.m.—Midwest championships. Light athletic band contests, Creighton University Stadium. Bands, drum corps, many drum and baton twirling squads from five midwestern states compete for cups and cash prizes.

2:00 p.m.—Horse and Dog Show, Ab-Sar-Ben Field.

8:00 p.m.—Carnival Ball, Ab-Sar-Ben Coliseum. Paul Whiteman orchestra.

9:00 p.m.—Street dances, downtown streets. Thousands more of Golden Spike Days celebrate dancing in downtown Omaha streets.

SAVE LURID FALSE FRONTS

Omaha, May 1.

Omaha is refusing to play rough-tough old Golden Spike days this year with nothing more colorful than spirit guns and ice cream parades for background. So when the state liquor commission said "Naughty, you mustn't" as the fiery wild west tavern fronts started going up, the howl in town could be heard in the state capital.

Omaha decided that it was time to do a little rebelling, so a committee went down to Lincoln to find out why the "Dirty Eddie" and "Stimpy Glick" type of false front couldn't go up. The Punk Babs in Lincoln said it was because the fronts obscured the interior and who knew what howlside deeds might be pulled behind those confounded walls. They might even bring in a serpentine dancer.

It was finally decided that the phoney fronts could remain if there were enough saloons or windows to permit the passing gamblers to glance in occasionally to see that no murders were being committed or check-to-check dancing being done.

One of the best things about last year's Golden Spike was the flood of curiosity fronts on the saloons.

Now, comes another blow. The golden city's worst public enemy

Gracie Allen for President

"Gracie Allen for President" appears in book form June 12. "Fields for President," in which W. C. also makes a bid for the office has already been published.

Omaha, May 15-18 • GRACIE ALLEN FOR PREZ • Golden Spike Days

Gracie for President Hinds for Hands^{*}



^{*} Before applying make-up, and after removing it, soothe your skin with Hinds Honey and Almond Cream. Even one application helps rough, abraded skin feel softer—look smoother. Swell for after shaving, too—extra creamy, extra soothing!

Copyright, 1910, Hinds Bros. Corporation, New York, N. Y.

WED. NITE'S FUN NITE WITH BURNS & ALLEN

Take in and hear Gracie runnin' wild for President! Columbia Network—WABC
—7:30-9:00 P. M.—Wednesdays—Sponsored by Hinds Honey and Almond Cream

GREETINGS FROM
THE B & A WRITERS

**JOHN P.
MEDBURY**

HARVEY HELM

WILLIAM BURNS

**HARVEY
HELM**

WILLIAM BURNS

JOHN P. MEDBURY

**WILLIAM
BURNS**

JOHN P. MEDBURY

HARVEY HELM

A CHICKEN IN EVERY POT
— AND —
TOP BILLING FOR EVERY WRITER

GRACIE ALLEN STAMPEDES NATION!

Delegations of the
WILLIAM MORRIS AGENCY
 from Hollywood, Chicago and
 New York vote unanimously for
GRACIE ALLEN
 and are pledged to her platform
 of international entertainment!



WILLIAM MORRIS AGENCY

NEW YORK . . . LONDON . . . CHICAGO . . .

HOLLYWOOD



Omaha, May 15-18 * GRACIE ALLEN FOR PREZ * Golden Spike Days

Plan to Attend



The Gracie Allen
"Surprise Party" Convention
at Omaha's
GOLDEN SPIKE DAYS
Celebration May 15-18

The Gracie Allen Special chugs into Omaha Union Station May 14th from Los Angeles... and next day the "Surprise Party Convention" will be in full swing, with torchlight parades, campaign promises, be-whiskered delegates. The whole town turns back the calendar to 1869 for "Golden Spike Days"... last year a sensation, this year an institution! Plan to attend... and when you travel between Chicago and the Pacific Coast, go via the famous Road of the Streamliners and the Challengers—you'll understand why Union Pacific's long distance trains are the most popular in the world!

See any Union Pacific representative or write
W. E. BASINGER, General Passenger Traffic Manager
Union Pacific Railroad, Omaha, Neb.

The Progressive
Union Pacific Railroad



As Stated In His Broadcast of March 18th

Dr. I. Q.

The Mental *BANKER*

(who did not fail in 1929)

definitely supports the movement of

"GRACIE ALLEN FOR PRESIDENT"

for the following reasons:

1. Past record in office
2. Kern-analytical mind
3. Diplomatic prowess
4. Florida manner
5. Gang-buster
6. Age and experience
7. Loyalty to the Party
8. She kept us out of (what?)
9. Something about changing homes (ask Secretary)
10. And she's pretty, too.

DR. I. Q.—Presented every Monday night over the NBC Red Network—8 CST through the courtesy of MARS, INC., makers of Milky Way and the Mars bar.



KOIL

OMAHA
and

KFAB

LINCOLN

are Personal Hosts to

GRACIE ALLEN
and **GEO. BURNS**

★ ★ ★ ★ ★

Gracie's holding her

"Surprise Party Convention" in Omaha during

GOLDEN SPIKE DAYS!

May 15 thru May 18

Omaha, May 15-18 * GRACIE ALLEN FOR PREZ * Golden Spike Days

RAY: You know Gracie, this is the first time
you and I have ever been alone.

GRACIE: I know—especially in VARIETY.

RAY: May I whisper something in your ear?

GRACIE: What is it Ray?

RAY: *It's nothing, baby—*

CONGRATULATIONS PREZ!

FROM

RAY NOBLE

AND HIS ORCHESTRA

Now in their 123rd week with GEORGE and GRACIE ON THE AIR. Now
in their TWELFTH WEEK at the PALACE HOTEL, San Francisco.

Opening at the PALMER HOUSE, Chicago—July 4th.

Personal Management
WILLIAM MORRIS AGENCY, INC.

Omaha, May 15-18 • GRACIE ALLEN FOR PREZ • Golden Spike Days

HAPPY DAZE, OMAHA!

I'm so excited I'm speechless—except when I'm talking.

To think of having my own Surprise Party convention in Omaha, May 15-18! Parades and bands and speaking! It's all so much like a dream I pinch myself every now and then—to see if I have my girdle on. Keep voting all day long, and give this little girl a big Omahand.

—Gracie.

★ ★ ★

She didn't have to sign that, did she, folks? Anyhow we're glad Omaha wanted us and we hope everybody has a lot of fun. Take a deep breath of fresh sense now. You won't get another chance for a while.

—George.

WILLIAM MORRIS AGENCY
Personal Direction: LESTER HAMMEL

U. S. Threat

(Continued from page 12)

that Paris is the chief distributing center for much of the Continent, with most of the printing and dubbing done here.

Yields to U. S. Threat

With Embassy officials backing the distributors in their demands, it is reliably learned that the French authorities have yielded to the American threat to shut up and move their distributing center from Paris to some neutral spot. Americans argued that France could not afford to let this move from the point of view of prestige, propaganda and business. Also pointed out was the fact that French talent and technique employed in the printing and dubbing of films here would be lost if the film moved elsewhere, and that film people from all over the Continent would cease coming to Paris, with hotel and entertainment business elsewhere suffering.

American insist that this direct controlled entry of film is a direct violation of the Franco-American trade agreement, which line of reasoning has been adopted by the U. S. Embassy in its talks with French officials. According to this treaty, there should be no barrier of any kind to the entry of American film.

There is a difference of opinion, with Americans arguing that film entries and local problems are two separate problems and should be handled separately, whereas French officials insist on handling them together. Distributors state that they are willing to knuckle down to the French policy, despite the fact that no barriers should be set up against film imports. They add that in this way they could continue to function normally within the country even if they were prevented from exporting their earnings until the end of hostilities.

Another Problem

Another problem to be thrashed out is the classification to be made of film printed and dubbed here. The local view is that they are French products and that payments made on the Continent must be sent here. Americans insist that only the labor and technique involved are French but that the film itself remains an American product and consequently payments should be permitted to be made directly to the home office, with only French labor costs involved.

According to well-informed circles, the only opposition to American film here is being made by the Ministry of Finance, which wants to move along France's monetary problem for the duration of the war. The Ministry of Commerce, Foreign Affairs, Information and National Education, guided by other considerations, would prefer unchanged legislation concerning American film although the last named would like to see the number imported reduced in order to favor the French industry.

The Ministry named are afraid that the complete elimination of American film from France might prove a hardship to the French industry with production not functioning at full blast. They also fear that it might have unpleasant repercussions in the United States where efforts are being made to build up French good will. Hollywood, which is generally considered Francophile, might react unfavorably, while the State Department might condemn the French violation of the trade agreement between the two countries.

For obvious reasons many would like to see the American film com-

pletely eliminated from the French market. Numerous reasons are given and those championing the cause are motivated by patriotic and ideological motives and others from the profits which might personally accrue to them with American competition eliminated.

Between Jan. 1 and Aug. 31 of last year, 25 films went on the air. Between Sept. 1 and April 15 only 24 were begun. The average annual production for the past few years has been 115 per cent. Even if production should be speeded up and a big harvest made during the next four and a half months, it is hardly possible that the total of the past few years' annual production will be attained. Thus American film particularly would fill the void.

The loss of the Scandinavian and Central European market (Poland, Czechoslovakia and Austria) should certainly act as a further stimulus to domestic production. Italy and South America may have increased their French film purchases, but Italy will remain a good French customer only so long as its economy stays flush with American interests, because Italian generally prefer the look to the French product.

Exchanges

(Continued from page 5)

update N. Y. town and is remaining there.

R. F. Stanley, auditor and assistant treasurer of Niles, who headquarters at Poughkeepsie, has transferred to the Paramount home office and will handle Niles affairs under Fred Marchand's department.

Enlisting as president and general manager of the Niles circuit when it was through pushing deals, George Walsh is headquarters in New York until deciding on future plans. He has several things in mind.

N. Y. Office's Third Season

Valley Stream, L. I., May 2. The Warner Drive-In Theatre, on the Sunrise Highway between here and Rosedale, has opened its third season with a single-feature policy. Capacity is 500 cars. Screen, largest in the world, measures 35 by 25 feet.

Drive-in showed a profit in 1938 and broke even in 1939 despite repair work on the highway. It was managed both years by Michael Rotundo, owner, who has returned to Boston to operate a house he owns there. Beverly Shontag managing this season.

E. C. That Bad?

Los Angeles, May 2. Harry Taylor assigned as western representative of National Screen Service rather than accept a transfer back to Kansas City.

For four years he had been in charge of the territory west of the Mississippi, with headquarters here. Albert Goldstein and Jay Sutton remain as leaders of the Mutual Theatre by reason of a Superior court decision, denying an application by Mark H. Hansen, landlord, that the lease be forfeited.

Golden & Surtiss have occupied the premises for five years, and recently took up a 10-year option.

Irving Carlin and Max Shaker of C. & E. Suburban add their Empire to Jack Goldstein, who also operates the Fox.

Johanne's Eighth Five

Lincoln, Neb., May 2. A \$25,000 loan, Wally Johanne's Fifth, 220-actor, was burned to an ash-heap May 1 in an early morning blaze, cause of which has not been determined. This leaves him with only one house, the Fulmar, in Exeter, N.H.

Staked for \$75,000 worth of improvements, the Liberty, 300-actor

here, went under the contractor's thumb this week, and will be entirely rebuilt inside the old building which now stands over the old location. It will be devoted to 1,100 seats. Gallery comes out and 500 of the seats will be in the new balcony. George D. Hansen's new Empress, being constructed on the site of the old theatre which burned during the winter, will be ready for its first look July 4.

Blinger's 11th Act

Dallas, May 2. Lou Blinger, owner of Queen Mary and undoubted dean of amusement row, marked his 11th year with the House West, 111. Originally managed the house for Earl H. Halsey, then acquired same. House was Blinger's first defeat, although now small compared to its formidable neighbor, having 300-seat auditorium. Amusement editors of city's papers all praise Blinger for the event.

W. B. Theatre's \$24,000 Fire

Philadelphia, May 2. Fire started by a short circuit in the wiring wrecked the Stanley Warner Theatre, a major theatre, late Tuesday (1) causing nearly \$24,000 damage.

Eight fire companies from surrounding towns responded to the alarm. The theatre will be closed pending repair. Title of the picture scheduled for the next day was "Laugh It Off."

Kids Back in Theatre Seats

Fairfax, Va., May 2. Two children were in Buck Horner's seventh with broken and cut received in a stampede in which 100 children in the balconies of the Capitol were involved May 1 at a special kiddie mat of Shirley Temple's "The Bluebird." Chris Lamoreaux, manager of the 100-seat house, said the theatre was filled to capacity for the 10 minutes, which he had made an annual spring affair. The stampede started when a fire extinguisher was knocked from the wall by the jostling of some boys. The extinguisher made an impact noise, and somebody accidentally shouted, "Fire." Starting the stampede. Employees, seeing there was no fire, cooed the 400 kids on the main floor.

News Staff Cuts

Removals: At Monogram's N.Y. office resulted in the staffs of the publicity and foreign department each being reduced by one member. Miriam Gilson, fan mag contact in the factory, stayed out to become a fan for a new economic firm, Charles Morris, assistant to Norton V. Bingham, foreign manager, since his resignation is pending supplies for buildings of foreign theatres. Another will be replaced.

German Newsreel

(Continued from page 2)

that someone in an audience doesn't see a relative or an acquaintance on the screen—in the army at the front, in concentration camps, building fortresses, in behind-the-front activities, or in battleships or submarines. The weeklies are given credit for attracting a lot of trade that otherwise would stay home, and keeping the German picture business on an even keel.

Whenever a missing one is recognized on the screen, the watcher communicates immediately with other friends and relatives of the pictured person and they hasten to the theatre in time to catch the weekly at the next showing. Managers are frequently amazed at the rapidly with which this grapevine intelligence system operates, and they declare it's as lightning fast. Asked as the Gollies.

These wartime recognitions happen occasionally in the downtown first-run theatres and when anxious relatives find they have arrived too late to see the day's last showing of the weekly managers have run the reel over for them at the end of the show.

The British Discovered 'Em

(Continued from page 12)

always happening," grinned Burns, "and we worked for two years steady." Their art was billed as Burns and Allen in 30-30 and in this day neither knows why it was so tagged. Burns was writing the material at that time and Crane did the straightening but it was the female half that got most of the laughs. It is Burns' claim that they was the first musical act to draw laughs without wearing funny clothes.

The team's evolution to play the Orpheum circuit finally came to pass and Crane was especially jubilant because the route would take them to big time in France, her birthplace and where she spent considerable of her childhood. However, money would have it otherwise and the team played every other man town on the circuit. While in Oakland across the bay Crane was taken down with an appendicitis attack and the act had to be cancelled.

Tuned to Radio

On their return to New York they broke in a new act called "Lunch Chops," so called because it was Crane's supper to her partner's gaze. After playing it for five weeks on the Gus Bow time they laid off in Cleveland and were married. Quipped Burns, "We had no bookings ahead and I owed Gracie \$250 so we decided to take a gamble."

Back in New York they were booked into the Jefferson, where their time was won by the Keith circuit. Next day they signed a five-year contract, the longest up to that time. Their salary skyrocketed from \$400 to \$750 a week and they took summers off to play in Europe. While abroad they were called in by the British Broadcasting Co. to do their act on the air. That was 15 years ago and marked their debut on the microphone. On their return to the States they went on the same bill at the Palace with Eddie Cantor and George Jessel for a nine-week stand. At that time Cantor was broadcasting for Chase & Sanborn and asked Burns if he would allow Gracie to go on his program. He consented providing he (Burns) would write the jokes. Cantor straightened Gracie and she nearly stole the program from him. Mort Milman of NBC happened to be listening in and made the team an offer to go on the Rudy Valley program. When he offered \$750 Burns was so stunned by the magnitude of the figure that he gulped and inadvertently let go "two mugs." He couldn't believe they were paying that kind of coin in radio. Figuring Burns the wrong way Milman grinned, "I'll pay you \$1,500 and not a cent more."

The following week they were booked on the Guy Lombardo program, first for one show and finally a 13-week stretch. Since then they have had little time through change of sponsors in their nine years on the air. Not to put up that "double shot" in Hollywood—radio and pictures—the team has been picture making for the past five years at Paramount.

The "Gracie for President" gag dates back eight years. To quote

Burns, "The same hotel good today that it did then. We figured the program needed a shot in the arm, something to get it talked about, so we decided to revive the President gag." Seven years ago Gracie played political sketches and ran for Governor of the State of Texas. She walked to and out of office network programs and asked people for their vote. On Feb. 22 last she found her chapter into the ring and immediately thereafter the 37th of October put in a bid as the convention site, an added attraction to its Golden Spike Day. That same voters are taking Gracie seriously, so maybe they enjoy a gag, is attested by a report from Eastlake, Ill., that she recently pulled more votes-in votes in the Republican primary than James Farley of Cordell Hall.

The Burns have two adopted children, a boy 4½ and girl 3½.

Script writers for team, besides George Burns, are John P. Meddow, Harvey Hines, Bert Kalman, Harry Ruby and William Byrne.

It's Showmanship

(Continued from page 12)

Again I can't tell you what a good time it was. I do know that most of the nation spent a lot of time, money and ingenuity on radio-building. After 100 Golden Spike Days, we found that we had a united, confident Omaha. Our folks had played together, gotten better acquainted and loved each other. Rich and poor were the same everywhere and danced in the streets together. We got better acquainted with our neighbors from all over the Midwest. We're still prancing on the momentary we worked up last year during Golden Spike Days.

The celebration was a shot in the arm, a civic advertisement on a stupendous scale, a business stimulant, a community party, a spring tonic. That's why we're planning to make it an annual event, and with the suggestion of Gracie Allen's Surprise Party as the headliner, we expect to ring the bell again.

RCA Television

(Continued from page 4)

Major (diaboli) introduced a change of pace.

The performance drew home to those who have followed the progress of the medium in recent years the challenge of tomorrow. That tomorrow is now rendered vividly nearer by this latest proof.

The apparatus which receives the telecasts over the air and magnifies it, cinema style, for the screen is to retail at around \$1,500 in the fall and to be sold in cafes, hotels and other public places. Also for homes, if the price is no factor.

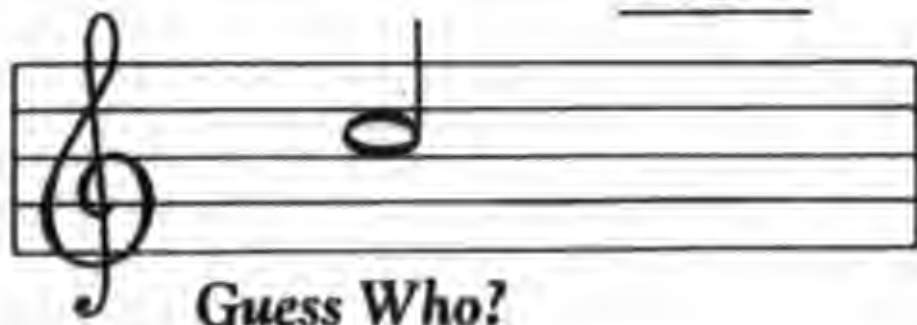
TO GRACIE,

The next President we ever had.

CHARLES HENDERSON

—and then I wrote

"HOW TO THINK FOR MONEY"



Guess Who?

44

NEVER HAS THERE BEEN A GREATER BOXOFFICE ACHIEVEMENT!"

—from the Pomona, Cal. preview report.



UNPRECEDENTED DUAL WORLD PREMIERE



ALICE FAYE • DON AMECHE • HENRY FONDA

as Lillian Russell

as Edward Schuman

as Alexander Murray

EDWARD ARNOLD • WARREN WILLIAM • LEO CARRILLO

as Diamond Jim Brady

as the famous J. L.

as Tony Pastor

HELEN WESTLEY • DOROTHY PETERSON • ERNEST TRUEX

NIGEL BRUCE • CLAUDE ALLISTER • LYNN BARI • WENNER & FIELDS

EDDIE FOY, Jr. • UNA O'CONNOR • JOSEPH CAWTHORN

Directed by Irving Cummings

Associate Producer Gene Machey • Screen Play by William Anthony McGuire • Dances staged by Seymour Felix

Alice Faye sings Lillian Russell's unforgettable songs, including...
 "After the Ball is Over"
 "Swain, You Are My Flame"
 "The Band Played On"
 "Swaine's Song"
 "My Evening Star"

Two new hits you'll remember as long...
 "Adored One" by Alfred Newman & Mink Gooden
 "Blue Love Bird" by Gus Kahn & Broadway Express



PITTSBURGH . . . CLINTON, IA. . . MAY 15th!

NAT'L SPOT ACCTS. CONTINUE BULLISH; NEW YORK SALES REPS KEPT STEPPING

Pull Mail Big Buyer—Other Active Accounts Include American Chicle, Ward, Nestle's—Lucky Blurbs Now Nation-Wide

Current boom in national spot broadcasting showed no signs of abatement during the past week. If anything, the boom reached a new peak. The situation of actual orders and the call for time availability gave the station type in New York their hardest workout of the season. The outstanding newcomer to the spot list was Lucky Strike, which has decided to extend nationwide the campaign of two-and-a-half minute transmissions that it has had running on New York stations for the past several weeks. The buy in this instance will be as heavy as it gets a week.

Other new sources of spot business are American Chicle, Ward Baking, Borden, Quaker Oats, Nestle's (Bitter Sweet chocolate) and Pull Mail (cigarettes), while Young & Rubicam is still working on its placement of Felix Soap and Gulf Spray products. In the case of American Chicle it's the Borden, Borden's & Borden agency lining up time and what-have-you spots. Ward Baking is also lining up time through Sherman K. Ellis, and the same agency is experimenting with some experimental ideas for Borden's Quaker Oats. Borden's agency is also lining up time on 10 stations, in addition to its present commitments on KFI-REDA, Los Angeles, and KJRH, Detroit. Spotter will also within the next two weeks add 10 to 15 stations to the list plugging Borden's via Norman Brodsky's direct end of the sale of three a week.

Pull Mail's Splurge

Pull Mail's splurge with between-program announcements in the New York market calls for the use of as many as 24 a week. Already placed on metropolitan stations are commitments that add up to about 200 announcements a week. If this campaign sticks it will, as in the case of Lucky Strike, be given national treatment. Both its brands are owned by the same outfit, the American Tobacco Co.

In order to get good distribution of the Lucky Strike brand may have been taken off the lines carrying the weekly "Big Parade" and "Ray Kray" shows in Chicago and Los Angeles as well as in New York. The two-and-a-half-minute platters each contain a line broadcast the previous week but either of these two network programs. The orders issued by Luck & Thomas for Lucky over stations in New England, Pennsylvania and New York state.

Pull Mail is also in the market for a network program.

DANIEL COLEPAUL SUES TEXTILE FIRMS

Daniel and Ann Colepaui, dairy business at Daniel Colepaui Associates, owners of the radio program, "Information Please," filed suit Monday in the U. S. Supreme court against H. Lawrence & Sons, Inc., and Alvin Mills, Inc., seeking \$25,000 damages, no injunction, and an accounting, for the alleged infringement of the name of the program.

The defendants make four claims and three defenses. All are called "information please," with the specific name of one being the same as the "I" program, two others having "information please," and another question and answer, such as "Where," "Why," and "When."

'Superman' for Canada

"Superman" transmissions have been sold to 20 new stations in the past week, one in the U. S., one in the Philippine Islands and 18 in Canada. Philippine outlet is KZMH, Manila, where the program will be sponsored by Cyren Walden for 11 weeks, no starting date set.

No sponsors have been logged for the 10 Canadian outlets under All Canada Radio Facilities, which starts the serial of various times next month. Lane U. S. outlet is KOY, Phoenix, Arizona, which will air it for Martin Gas & Oil Co., starting May 15, for 13 weeks.

The Same Gent

Thought once how CBS publicity department members are equal, who obtained from the reading of three station blurbs got out over a period of three years almost the same announcer personality. The tip-off line is each of these press pieces follows:

1938. He's six feet-two, weighs 175 pounds, likes home cooking, has brown curly hair and gray eyes.

1939. He's six feet-two, weighs 175 pounds, likes home cooking, has brown curly hair and gray eyes and has been married just two months.

1940. He's six feet-two and likes home cooking.

KUHL TO N.Y. TELEVISION DEPT.

Cal Kuhl, staff producer for J. Walter Thompson agency on the Coast, is due in New York within the next week to talk over with John U. Butler, radio v.p., the idea of his heading up the agency's proposed television department. If the thing goes through it will be the first agency to set up a division on this basis and scale. Thompson so far has limited its television activities to have agencies write precise television scripts.

Kuhl formerly produced the Edgar Bergen show. An ultra-rare situation led to his being replaced on the program and given the title of supervisor of Thompson programs on the west coast.

RIPLEY, TONY MARTIN SHOWS HOLIDAYING

Two of B.B.D. & O. accounts are leaving off CBS for a spell. Bob Ripley (Ripley) quits May 15, and will remain out of network radio until August, while Ripley (Tony Martin-Andre Kustalewski) will take a six-week layoff starting the first week in July.

There's still a possibility of Ripley passing up the bonus available to it because of the ill-fated couple, but the present plan is to put the program in syndication.

Summer End of Sterling Products Goes to Young & Rubicam Agency

Young & Rubicam has obtained some of the Sterling Products business. It's Midge Shaving Cream and Shorpen. Sterling acquired these two items through its purchase recently of the Consumer Products Co. from the Amstar Bros. for a reported \$4,000,000. This line is Wash-Gel's.

The indications are that Sterling will keep the Midge program, "Battle of the Sexes," going in its present Tuesday evening spot on the NBC-red and that it will be open for agency recommendations in the matter of a new Shorpen show. Shorpen is now represented by "What Would You Have Done?" on the NBC-blue Wednesday nights.

Sterling's other agencies are Blackett-Sample-Humant, Inc., which has the bulk of the business, Rothman & Ryan, which handles Tronard Yeast, and Thompson-Kirk Co., at Cincinnati.

'What Price America' Is Apparently Doomed By Charge of Propaganda

Washington, May 1. Continuation of the Interior Department's radio broadcast experiments was ignored last Wednesday (1) by a story-headed Senate—and collapse of the project is inevitable unless emergency funds can be extracted from the relief appropriations later in the session.

No voice was lifted when the House in the upper chamber failed to include funds which would have made possible an extension of the life of the radio series "What Price America" (portions of which were severely criticized in the House of Representatives early last month) and other radio efforts of the department's radio section.

One of the "What Price" broadcasts was condemned as "propaganda of government expense to influence federal legislation" by a petroleum industry spokesman appearing before a subcommittee of the House Interstate Commerce Committee in February. The same program was described by Rep. Ed Cowell, Texas Democrat, as "violated in substance only by the Great Welfare program" when Cowell's amendment to the Interior Department appropriation bill—curbing "political" broadcasts by the Department—was adopted by the House.

Congressional complaints centered about two broadcasts—both coincident with the Interior Department's efforts to put through oil production legislation. The so-called "radio-dramatic" broadcast presented an imaginary United States oil shortage, with all available gasoline used up through wastage and oil transportation throughout the country at a standstill. This program urged listeners to inform their congressmen that a bill must be enacted controlling the output of petroleum—thus bringing the charges that the Interior Department had attempted to influence legislation through the radio broadcasts.

The second complaint involved a dramatization of an annual report of Secretary of Interior Ickes containing a discussion of an oil case which, at that time, was still pending in the courts. Activity of this nature might be construed as being in contempt of court, it was pointed out.

While "What Price" received high praise for its educational qualities and received a kudos from Max Wyllie in his anthology, Best Broadcasts of 1939-40, the series will receive no more financial encouragement after June 30, unless relief funds are made available for its continuance. A minimum of \$21,000 was asked by the department and okayed by the Budget Bureau for the salaries of eight employees who were in line to be transferred from the Public Works Administration to the department's radio section.

Entrikin-Bredlin Comedies Due For NBC Trial Run

Known Entrikin and Howard Bredlin have collaborated on a new 15-minute light comedy series, "Strictly Business," which gets a Friday night test run on NBC blue (WJZ) beginning May 11.

Entrikin is a former playwright and is today v. p. of the Radio Writers Guild. Bredlin is fairly new to radio, having been a fiction writer for the slick magazines for several years.

"Duke Blake" on WJCA. Duke Blake, advisor to the lovelorn on the staff of the New York Daily News, started a similar column on the air last night (Tuesday) from WJCA, N. Y., on a continuing basis.

She'll broadcast tips and counsel each week 8:15-9:28 p.m.

Chain Income From Time Sales

COLUMBIA				
	1939	1938	1937	1936
January	\$5,572,948	\$5,874,057	\$5,279,941	\$5,376,029
February	3,300,807	2,541,525	2,800,514	2,304,321
March	2,613,170	2,925,404	2,694,217	2,399,758
April	2,522,909	2,894,028	2,424,100	2,360,476
Total	\$13,712,834	\$14,234,014	\$13,198,772	\$12,440,584

MUTUAL				
	1939	1938	1937	1936
January	\$217,739	\$214,979	\$209,954	\$212,749
February	221,448	276,400	252,204	231,500
March	206,813	204,979	222,877	217,421
April	258,947	262,028	189,545	208,026
Total	\$1,004,947	\$1,058,386	\$974,580	\$870,696

NBC-RED				
	1939	1938	1937	1936
January	\$2,406,381	\$2,211,141	\$2,404,768	\$2,271,622
February	2,228,062	2,915,204	2,207,120	2,272,078
March	2,538,940	2,397,360	2,296,494	2,243,322
April	2,179,000	2,679,871	2,458,197	2,204,006
Total	\$9,352,383	\$10,205,576	\$9,366,580	\$9,001,028

NBC-BLUE				
	1939	1938	1937	1936
January	\$608,612	\$623,739	\$1,158,721	\$1,157,368
February	606,191	773,427	606,820	1,027,608
March	606,804	672,660	1,070,325	1,002,061
April	912,822	681,412	689,619	912,425
Total	\$2,734,429	\$2,751,238	\$4,925,485	\$4,100,462

*Different system for allocating billings to the red and blue networks prevailed three years.

\$3,332,689 Gross for CBS in April; NBC's Two Webs Got \$4,041,518

Herbert Southard Dies

Fort Worth, May 1. Herbert C. Southard, 41, assistant general manager of WRAP, died April 22 in a local hospital after an illness of two months. He had been with the station since 1931 as announcer, program director and then as assistant to Harold Hough, the general manager. Prior to 1931 Southard was with KFTW, Fort Smith, Ark.

Wife, mother and a sister survive.

Catholic Monthly Okays 'Divorce' Program; Title Caused Some Qualms

A minor squabble involving a disparity between a melodramatic title, "I Want a Divorce," and its divorce-consummating story seems to have been amicably adjusted as far as The Sign, national Catholic monthly, is concerned. That publication has declared the program unobjectionable and has added editorially that after hearing it on station WJAF, New York, the publication thought it very enjoyable.

The issue presents some interesting sidelights on program choice and how to handle it. The Emil Brucher agency of San Francisco which handles the program, cooperatively sponsored, first learned of the agitation through an inside staff line in Veevry and promptly took steps to point out to the Catholics the true character of the program.

One comment was as follows: "To get people to listen to the program against divorce which we are presenting the stories must be made dramatic and interesting. If subject was treated merely as a lecture, the program would have no following whatsoever."

GEN'L MILLS SERIALS RUNNING THE HEAT

Chicago, May 1. Five General Mills programs have been renewed on the NBC-red web starting June 2. Programs include "Arnold Grimsby's Daughter," "Betty Crocker," "Bunch of All Churches," "Valiant Lady" and "Light of the World."

Two agencies in an deal are Blackett-Sample-Humant and Kana Brown, Minneapolis.

Each of the cross-country networks registered record April grosses. NBC got a total of \$3,811,518 for its two webs, as compared with \$3,300,000 for April, '39. Columbia grossed \$3,332,689, while for the like month of the year before it was \$2,854,000. Mutual's tally for last month was \$229,947.

In percentage difference between this April and April, '39, it was 33.5% for NBC, 18.4% for CBS and 27.1% for Mutual. On the first four months of the year NBC this time is up 8.5%, CBS, 25.1% and Mutual, 21.1%.

Breakdown of last month's NBC figures gives the red web \$1,120,000, and the blue, \$2,691,518. Compared to the previous April it's a boost of 8.7% for the red and 34% for the blue. This blue percentage margin is the biggest in its history.

Polesie Back In Radio As Holmer Aide

Mark Polesie was hired Monday (1) by Lamm & Mitchell to become coproducer with Mann Holmer of the Don Amiche-Old Gold show on the Coast. Polesie, whose last assignment was that of writer on Bing Crosby's Permanent pictures, has been back to the Coast the same night.

Polesie's trip with L. & M. was followed by a report that Mann Holmer, who debuted the Amiche show and has been producing it close, was on the verge of quitting but this was tagged as absurd by the agency. It was explained by L. & M. that Holmer, despite his protracted play on the Coast, was still radio director for the agency and that he had asked to be assigned back to New York. With such a move Polesie would take charge of the Old Gold show's production. Other L. & M. programs that are a vital part of the west coast H. & W. Woodbury Playhouse. This would also come under Polesie's authority.

Before going into pictures Polesie was with J. Walter Thompson.

Jerry Friedman is leaving the post to become an assistant to Jack McManus, radio editor of the new co-advertising New York daily, PM.

NEW YORK CITY'S AIR BOOM

Another 'Telephone Didn't Ring' Case; Farmer Thinks Tums' Call Mis-Routed

Des Moines, May 7.

Frank Bauman, a farmer living at the edge of Malvern, Iowa, is proceeding with efforts to collect \$500 he feels is due him from Tums, owner of Horace Heidt's 'Pat a Golf' program. Bauman's attorney states that while Bauman was not at home his wife and daughter were listening to the Heidt program and heard the Bauman number put through, although the Bauman phone didn't ring. It is believed the phone company routed the call through Grinnell instead of Malvern, but Bauman feels he won't help it if they didn't put the call through right.

Bauman has already received \$100 but wants the other \$400. A similar case occurred some weeks ago in Albany.

In New York it was understood the A.T.&T. was in the clear since the phone in the tiny Iowa community belong to an independent local system. There are still some 4,000,000 American telephones outside the Bell system (18,000,000) and the possibility of the Tums program encountering similar situations is admitted. One New York version was that the Iowa phone number in question was listed as a "disconnection" some weeks ago. Phone company is aware of the possibility of bad public relations of such incidents and the comment they provide.

Stuck-Gotie agency, which handles 'The Pat a Golf' for Tums, decried yesterday (Tuesday) that the only thing about the Iowa incident that interests it is that the call wasn't completed. The how and wherefore is none of the program's concern, and the agency proclaims its attitude on the proposition that the householder with the telephone is not permitted in any way to participate in the game. If he did it would come under the purview of a battery, and as the only thing that counts is what Tums does. The householder that missed out on the call got his \$100, and that closed the case as far as Tums was concerned, the agency added.

The agency is still working on a plan for including non-telephone homes in the periphery of prospective winners. It wants first to get Horace Heidt into New York so that it can go into a studio and do some experimenting with him on the idea. Heidt's due to undergo a nose operation in a couple weeks or so and it is figured that he'll pick some kind leader to ask for him on one of the broadcasts.

SPECTOR'S NEW AGENCY SETUP

Austin & Spector Co. takes on a new name June 1. It will be the Raymond Spector Co., Inc. Alvin Austin, who held the title of v.p.-treasurer, has resigned and Spector continues as sole owner of the agency's stock.

The accounts in radio include Link Magazine, United Camera, Journal of Living (Victor Lindfisher) and Sorbus. Spector has recently changed his radio staff. Among those added was Leonard Leonard, WOR's continuity acceptance editor.

Erik Barnouw's Play On

Erik Barnouw's play, 'Every Guy,' is current this week at the Morning-side Players theatre at Columbia University, N. Y. Meantime, with the completion of the 'Pursuit of Happiness' series, Barnouw is off the CBS payroll.

Following the run of the play, Mr. and Mrs. Barnouw will vacation in Virginia, and he will thereafter return to conduct a summer course in radio writing at Columbia University.

ASCAP'S TOURING REPS

Territory Assigned to Richard Fricklich, Robert Faine

Richard Fricklich and Robert Faine, of the station relations department of the American Society of Composers, Authors and Publishers, have been given new territories.

Fricklich's route will take him through upper New York State, northern Ohio and Michigan, while Faine will cover West Virginia, southern Ohio, Indiana and Illinois.

Young Fricklich is the son of the lawyer and Faine the son of the ASCAP exec, John G. Faine.

GEORGE HARDER HEADS WESTINGHOUSE PRESS

Boston, May 7.

One result of the new managerial divestment of NBC and Westinghouse is the designation of George A. Harder to supervise publicity of all six Westinghouse stations, namely, WEE, WEEA, Boston-Springfield; WOV, WGL, Fort Wayne; KYW, Philadelphia, and KDKA, Pittsburgh. Harder was connected with WEE here for 13 years, handling nearly every type of executive duty in that period. He was originally from the Springfield Republican. He was once official radio counselor to Massachusetts' Governor, Joseph B. Ely.

Harder will headquarters in Pittsburgh under the new set-up. Each Westinghouse station will have its own local publicity under him.

\$1,250,000 PAGE AT 4 STATIONS

Former Reputation of Metropolis As 'Erratic' Radio Market Now Overcome—Area Has 12% of Nation's Sets, 15% of Purchasing Power

SERIALS BLAH

Perhaps the most sensational bit showing in a most sensational spring is currently taking place in New York City where four primary non-network stations alone are piling up 500 hours of commercial volume per week, of which 220 is national spot. This trend is a complete reversal of other years when sponsors looked the clear channel of network stations most heavily leaving the rest of the field to trail in. But as things stand now, WHN, WOR, WMCA, and WNEW—all mainly dependent on spot business—won't miss getting \$1,250,000 apiece in 1940. And that's rock bottom. WOR, and perhaps one or two of the others, can get well over that figure unless the rest of the year simply falls into slumps.

While New York City has always been a fairly good center for national spot biz, it has never been in the really great class heretofore. Two many sponsors figured that it was a network dominated town, and that

(Continued on page 33)

Ad Agencies Bid For 7:30-8 Time On Red Following NBC's Recapture Move; Web Exec Declines to 'Trade'

PHILCO'S AIR REVISE

Drops Wythe Williams Contract at End of Month

Philco is revising its merchandising policy on refrigerator as far as radio is concerned at the end of May. It's withdrawing its sponsorship of Wythe Williams at that time and instead will go in for spot announcements on a month to month basis.

With 600 dealers to keep satisfied, the manufacturer figures that it might pursue a more flexible radio policy.

WILF CARTER OF WABC HURT IN MONTANA

Regina, Mont., May 7.

Wilf Carter, entering towhee at Calgary, Alberta, who is heard over WABC, New York, suffered painful injuries and shock when the automobile he was driving collided with another near Sweet Grass, Mont., last week. He is expected to recover.

Carter and his wife, Neloid, were en route from New York to California, for a visit when they were struck by the other car, allegedly on the wrong side of the road. Mrs. Carter was slightly injured. A passenger in the other car, Mrs. A. D. Barker, Sweet Grass, Mont., died on the way to hospital.

The NBC talent department has already received quite a number of bids from advertising agencies for the weekday 7:30 to 8 p.m. period which it has asked the red network affiliates to relinquish. The bids involve important national accounts. The meeting last Wednesday (1) at which NBC officials made the surrender request came off without any display of verbal pyrotechnics. Miles Trummel, NBC executive v.p., after outlining the reasons why the red net wanted this period back, stated that the assembled broadcasters were free to go home and think it over, that it was okay with him even if they wanted to get together elsewhere and discuss the proposition and that he would like to hear from them as soon as they had arrived at a decision.

In presenting the red network's case NBC spokesmen displayed a mass of charts, graphs and figures which tended to prove that because of the break in network commercials between 7:30 and 8 p.m. the red suffered much from the loss of consistent listener attention and was at a decided disadvantage to CBS in competing for an audience from 8 to 8:30 p.m. The data, according to NBC, disclosed that as a result of the non-availability of network programs between 7:30 and 8 p.m. on the red, CBS enjoyed a high audience carry-over on the subsequent half hour and it took some time before listeners were again fully warmed over to the red net.

One red affiliate remarked that he might be agreeable to giving up the 7:30-8 segment from his quota of station option time if NBC would in return give up the 8:30-9 p.m. period. Trummel quickly quipped: "This maneuver by stating that NBC did not have any intention of engaging in any trades."

MICHAEL'S SHOW BOUGHT ON REP

Chicago, May 7.

Procter & Gamble starts a new five-weekly dramatic serial, 'Love Journey,' May 17 over NBC red (WEAF). Exact spot hasn't been picked, at time isn't yet cleared. Show will probably begin originating out of Chicago. It's authored by Sandra Michael, who already writes the same sponsor's 'Against the Storm' and the NBC unit's 'Affairs of Anthony.' She's southern belle.

It's a package deal with John E. Gilhe, New York radio producer, in charge of production on the show. Director and cast are not set, as the series was bought without audition. Blanche Sample-Hummert is the agency.

REX SCHEPP QUILTS WBBM

To Wire, Indianapolis—Deadline to ex-Palmer Pullins to FCC

Chicago, May 7.

Rex Schepp, for 10 years with the WBBM sales staff here, has resigned, effective June 1. He goes to WIRE, Indianapolis, as sales manager and general assistant station manager for Owner Eugene Pullins.

Indianapolis is Schepp's home burg, and he is due to take over duties there early in June.

This new assignment does not affect applications of Schepp and two partners for a station permit in Pullins, N. J.

A DATE WITH THE BOGEY MAN

Two of advertising's most outspoken and aggressive critics, Donald Montgomery, consumer counsel of the Federal Agricultural Adjustment Administration, and Colston Warne, Amherst College professor and president of Consumers' Union, will have a chance on May 17 to beard the lion in its own den. They will participate in a forum arranged by, and to be presented in front of, the annual convention of the American Association of Advertising Agencies at the Waldorf-Astoria Hotel, N. Y. The forum will be conducted in the manner of NBC's Town Meeting and with George Drury of that program as moderator. Stanley High, Salespost writer, and Fulton Oursler, Liberty editor, will 'defend' advertising. Mrs. Anna Richardson of the Women's Home Companion will be an interrogator and questions from the floor will be open to all. The affair will occupy an entire morning session.

Messrs. Montgomery and Warne may be expected to come well fortified with ammunition. On their part the Four A's members will certainly think up a few retorts and will do their best to make the critics back-track or concede advertising some merit. The resultant clash may easily provide an extremely provocative session about which there is naturally intense curiosity.

Not the least memorable aspect of this forum is that it reflects commendable boldness and forthrightness by the Four A's. The very theme of the discussion: 'To What Extent Should Advertising Be Controlled and By Whom?', suggests a willingness to accept some form of policing as here to stay and as socially desirable and then to throw the whole question of motivations and methods open for honest debate. This represents, it would seem, an enormous advance in terms of clear-sighted and plain speaking. It is to be hoped that the questions from the floor will be equal to the opportunity to make a good impression. Butter melting in the mouth and pompous generalities would certainly be out of place and atrocious showmanship. The consumer movement will be watching for just such signs of stiff-

naked self-righteousness, for ruses, deceptions, flippancies and glib evasiveness. These attitudes have been too frequently typical of business men when confronting the social, or consumer, critic, a fact that has been especially mentioned in certain circles following the recent consumer conference at Stephens College, Missouri.

It so happens that last week at Columbus, Ohio, the 11th annual Institute of Education by Radio represented, in a small way, an effort at industrial-social viewpoint collaboration which is apropos the points involved in the present consumer agitation. Some years ago the Ohio State spring rallies were occasions for biting criticism of the radio end of advertising. The pedagogues were consistently unfriendly. The commercial radio industry, in turn, was prone to wisecrack about 'schoolbuses and boxbodies' and to brush off the whole movement.

Today the Institute no longer represents a point of anti-advertising infection but a point of idea exchanges that has a wholesome, democratic influence far beyond what may superficially seem to be a parochial affair. The two groups got together and discovered they weren't as far apart as they thought.

Basically, the lesson, if it's a valid point, of the Ohio State Institute seems to coincide with the strategy of the Four A's. It's presumably smart to give social criticism every opportunity to be heard and answered. Also it's a net gain to remove the tendency to apoplexy which some business men are apt to develop in the face of irreverence for their accomplishments. It should surprise nobody in advertising that constant selling of the medium, as such, and its social usefulness, as such, is just as necessary as is the constant selling which even the best publications and radio stations admit to be a necessity of survival.

The two camps can get together unless, of course, one side is seeking, not reform, but revolution. Which is something else.

AFRA May Seek Matching Dates For Commercial, Sustaining Codes, Dislike % Cut on Minimums

Increasingly more currently in effect between the networks and the American Federation of Radio Artists expire next August. Negotiations for a new pact will probably get under way about June 1, but the union may stall off an agreement until next February, when the commercial code with the sponsors and agencies also runs out.

Figured that if the two codes expire at the same time the union will have a distinct advantage over both the networks and the agencies, since in case of a deadlock the actors could sit up the entire broadcasting setup. If AFRA fails to reach a sustaining agreement by the time the present code expires it's figured that conditions will side along on a tentative basis pending settlement of a new pact.

Exact nature of the union's probable demands still is vague, but certain general points are likely to be pushed by the AFRA heads. Terms of the new pact may be extended to five years (present one is for two years). Unusually a determined effort will be made to eliminate commissions on minimum fees (at present charged by NBC under its arbitration victory over the union) and possibly even do away with the strict broadcast allotment.

There are two schools of thought in regard to sustaining fees. One would be to try to limit them up to the commercial level. Others would be to leave them unchanged (except that the rates for ensemble singers might be lowered) in return for an agreement by the networks not to service affiliates which had not signed AFRA contracts.

Possible that CBO will be pushed to sign a sustaining contract for affiliates at WABC, New York. Sponsors are already represented by AFRA on commercial matters, but are covered by the American Guild of Radio Announcers and Producers for sustaining work. Situation has always been a sore spot with AFRA heads throughout the country, as the union may try to push CBO into an agreement eliminating the whole wrinkle.

AFRA's arbitration case against the networks, involving the wage scale for recordings may finally get under way next week. AFRA has asked for its proposed code and is now trying to arrange meetings with a committee representing all the transcription interests. If that isn't possible, the various groups and firms will be contacted individually.

Ballots are being counted this week in the union's referendum over the proposed amendment to the constitution to change the method of electing representatives to the national board. Result will probably be known next week.

METRO USING WNEW BIG FOR 'EDISON' IN JERSEY

Metro is setting up an elaborate radio network for the premiere of its "Edison the Man" film, set to be shown at four theatres simultaneously in the Group of New Jersey next week. WNEW, New York, will make eight pickups during the three-day ceremonies with MG peering all changes.

Final broadcast will come on Thursday (14) evening when from 40-45 minutes will be devoted to the opening of the Palace, Casino, Casino, South Orange, Windsor, W. Orange, and the Hollywood, E. Orange. Each will be allotted 10-15 minutes.

Dubuque Is NBC 167th

WDBQ, Dubuque, Ia., joins NBC today (4) as a supplementary outlet of the blue link. The station was formerly on the CBS net.

With the addition of WDBQ NBC's affiliate roster is now 187 stations.

Spieler Says Grace

Birmingham, May 7. Clint Blahely, announcer for WAPL, went home to dinner, tired from the day's work. Asked to say grace, announcer absent-mindedly spoke:

"This is WAPL, the Voice of Alabama."

MAURICE BOYD TO CHICAGO

Maurice M. Boyd, who currently holds the title of eastern manager of NBC Spot Sales, is being transferred to Chicago as manager of Spot Sales' central division. Oliver Morton, who has held this latter post, becomes NBC special representative in the same division for spot sales on the Westinghouse stations.

Boyd has been with the spot selling operation for seven years and in that time he has been largely instrumental in establishing on WCAP and WJZ such programs as "Woman of Tomorrow," "Breakfast Bulletin" (Ed East), Ray Perkins and Bill Stern's Sports Review.

RCA, Denver, will run minus Lloyd E. Yoder, manager, and J. E. Shuman, both instrumental in the recent move, who have gone to the west coast to report for duty.

From the Production Centres

IN NEW YORK CITY . . .

It's all set. Tom Mix Straight Shooters will be back in the fall for Radio City. General Electric previewed at World's Fair yesterday (Tuesday) afternoon as Variety was going to bed. NBC's educational division starts its "Public Affairs Weekly" tonight at 11:15.

True Boardman, Coast scripter in on his visit, gives cocktail party at Algonquin hotel Monday (8) by the Radio Writers Guild eastern chapter. P. K. Wilson will script, "Reluctant Cinderella," to Lambert & Peasley for Grand Central Station. Jay C. Flippin doing a semi-long between-limbs spiel with Mel Allen on the New York Yankees baseball series for Canal. Howard Brindle has collected a magazine short story, ridding the agency radio men. Nat Berlin, WQXR script writer, will conduct an "Around the World's Fair" series over his station four times a week beginning next Monday (12).

Charles Magnus, familiar radio musician, was billed as "The World's Greatest Accompanist" at a guest appearance last week at the annual concert of Trep-Schmiedt's American Orchestra, directed by Ed Gurevsky, in Mount Pleasant High School, Schenectady. Signa Delta Ma sponsored the concert. Mary Little, radio editor of The Boston Register and Tribune, is New York City.

IN HOLLYWOOD . . .

Davy Brewster moving over to Catalina for the summer to handle the beach and sidewalk interviews for CBS. Tom Brownman takes over his two shows on the mainland. Fox Case had for two weeks of casting the situation for CBS special events. Janice Bentler will have his operations in New York for the next 14 weeks. Jeanette MacDonald probably drawing top rate for a guest spot on Chase & Sanderson May 15. Kay St. Germain and Ray Hendricks will be the soloists on Marilyn Wilson's "America Sings" summer program for Johnson was. NBC inaugurating a sports forum, with Ben Waggoner of United Press presiding. Eddie Hirsch, writer on J. Walter Thompson shows, thrown by his mouth for a broken arm. Richard Hall added to ENE continuity staff on a promotion from scenic clearance. Burridge Butler and Don Thompson can have more fun ridding each other. Burns and Allen take off for the summer after June 24 broadcast. No replacement planned. Charlie Vande and Bill Lewis the busiest production execs in town laying out the CBS summer grid, past and west. Edgar Bergen has presented J. Walter Thompson with a first rate presentation. He wants eight weeks off and agency can't decide whether to replace him or go off the air until he comes back.

IN CHICAGO . . .

Lee Zimmerman and Eileen Palmer were married last week. J. Oren Weaver, WBBM-Chicago news chief, lobbied by S. With NBC Central talent manager Harry Kopf away on Caribbean cruise. Hattie Ware is down for a couple of weeks, is using his office to get out the "Bad Girl" scripts. Elvira Bousler added to "Romance of Helen Trent." John Harboreson building new home up at Indian Hill. Charles Sears, Vincent Polster and the Harry Riggs orchestra plating some sides for Arson's Lucky project. Charles Penman added to NBC production staff in an vacancy caused by resignation of Gordon Hughes. Lloyd Harris, assistant production chief at NBC in Chi, elected president of Chi chapter of local Writers League. Cast additions include Michael Roman to "Guiding Light," Don Gallagher to "Ma Perkins," Nina Kowalew to "Milkshake." Bill Ray, NBC press chief in Chi, and Jim Kane, Columbia publicity liaison, comparing notes on tough one publicity lines over a lunch table. (Hiroshi) Lee Childs, ex-Columbia publicity, signed for building by NBC in Chicago. Both WBBM and WGN studios and offices giving a general overhauling. Frank Schryver, Mutual public relations lge, back from road jaunt. Mutual-WGN production of "Bitter-Sweet" brought out the top money and serial brackets of the town, and it was noted that Bill Barber's personal performance as director was worth the price of admission, if there had been a price of admission.

Lee Sellers an Also Ran; Husher No Politician

Pittsburgh, May 7. Pennsylvania primary election was generally a wash-out for show biz people. Lee Sellers, KQV news-caster and air crusader, ran a poor third in his effort to grab the Congressional nomination as the Democratic ticket, and J. Rany Vaughan, former pro grid star and banking agent, pulled up way behind in his race for a place in the state Legislature.

Only one to grab anything off was Frank J. Harris, head of Harris Amusement Co., but he's recognized locally as more politician than showman. His nephew, John H. Harris, being in active charge of current bearing family name. Harris, long-time GOP leader in Allegheny county, got a number of his endorsed candidates nominated and also won for himself a delegate's post to Republican national convention.

Seattle, May 7. Edward J. Alexander, publicity director of KXRO at Aberdeen, is seeking Republican nomination for Congress from the Third Washington District.

An "Alexander for Congress" club has been formed.

Bowes Audition Is Prize

St. Louis, May 7. A free trip to New York, a three-day stop there to include a visit to the World's Fair and an audition for Major Edward Bowes' amateur show is the best thing that has happened to the David G. Evans Coffee Co., through the Advertiser Advertising Agency, that banknote "Old Judge Talent Court," a weekly amateur show aired over KMOX.

New 15-week series, which commences a 35-week run, will drop the bars to the age limit and try type may appear on the program. Formerly only those under 18 could appear.

Hummert Auditions Added 122 Players to Agency List Since 1938 But 306 Failed to Show Up on Call

Payroll Traffic

St. Louis—Herb McCready, sports editor, WEW, an expectant father, was the recipient of a "valley shower" issued by fellow workers. McCready was pleased with everything but a banner which read "May April Showers Bring May Flowers—Annually."

Buffalo—Spieler Jack Weaver is now at WBTV, replacing Herb Madison, who went to WGR-WKRW.

Cleveland—Station manager Vero Prohace and program director Hal Metzger of WTAM attending Radio Educational Conference in Columbus.

St. Louis—Harriett Edwards in charge of the KMOX educational program, and Charles Smiley, director of CBS's "Country Journal," and John W. Thomas, WVE program director, are participating in the 11th annual Institute for Radio in Education conducted by Ohio State U at Columbus.

Miami—Gene Rider, WQAM chief engineer, was notified this week that a short story written by him had been accepted for publication in Esquire. Title tagged "The World as a Silver Platter" is a character sketch of a crash-landed radio operator. F. W. Burton, owner of WQAM, left Wednesday (28) for a month's fishing trip in Cuban waters. Don Bentley, WQAM scripter, off for Illinois and a two weeks' vacation. Maria Neal, songstress for WQAM during the past season, returned to New York Sunday (28). Frank Malone, WIOD newscaster, 10, His Twenty Grand shows are being handled by Bill Higginer. Fran Owen, formerly WOL, has been added to WIOD make staff. Handling "Stirly Personal" show. Tommy Allen, director of the Greater Miami Fishing Tournament, and Leslie Harris will handle the WQAM coverage of the Cat Cay fishing competition, starting May 1. Shows will be broadcast to Miami for a portable rig setup on Cat Cay.

Dayville, Va.—Carl Saunders, formerly program director of WFVA, Fredericksburg, is on the announcing staff of WPTM, specializing in news and special events.

Minneapolis, Minn.—Winston Hammond, formerly of KJL, Denver, is announcing for KJLV. Also Deane Campbell, who's doubling as a student of the Northern State University (journalism).

Fredericksburg, Va.—Lee Chadwick, formerly with Young & Rubicam as a continuity writer, has become manager of WFID. E. B. Pichard is now head of WFID's sales department.

Portland, Ore.—Don Green, until recently announcer on KRL, local 90-watt, is staff of KGW-KEX.

Charlotte, N. C.—Mrs. Faye Powell has joined WBT as story-teller (Aunt Sally) for a Saturday morning juke program. W. O. Sommerlin is a newcomer to the same station's engineering staff.

Kansas City—Don O'Brien has been released from his contract at KMC for Arthur Church and gone to KTUL, Tulsa, as baseball announcer for General Mills.

Martin Tobin is new member of the announcing staff at KCMO replacing Hal Hoffman. Crossed over from KCKN on the Kansas side.

Toledo—Larry Payne, for the past six months program director and chief newscaster at WTOL, Toledo, will go to WJR, Detroit, May 11, as staff announcer.

Cleveland—WEXC has added Don Faust, announcer, formerly with the Texas State network in Fort Worth. Also Kenneth Cox, engineer, formerly with WROX, Knoxville, Tenn., in the technical staff. Leslie Evans joined the station's advertising department, replacing Patricia Miller, who will become the bride June 15 of James H. Pelt, WKYC salesman.

New York office of Black-Sample-Hummert, with more than a dozen dramatic shows on the air, has been auditioning actors at the rate of nearly 20 a month for the last 15 months. Started by Frank Hummert, the activity cost about \$10,000 a year and has resulted in the hiring of 122 players.

Between Dec. 23, 1936, when the policy was begun, until last March 31, 49 general auditions were held. As word of the agency's casting has begun to be known, program directors of other agencies have started calling B-S-H when short with hurried casting problems. Neither the networks nor any other agencies at present have regular auditioning sessions.

Items of the interrelated auditioning activity was four-fold. It was intended (1) to minimize the agency's auditioning, (2) to supplement the function of directors in casting new parts by recommending suitable actors available, (3) furnish directors with a list of worthy actor applicants when parts are available and (4) provide opportunity for all applicants to be heard.

Previously, instead of the auditioning being handled through a central agency, individual directors held their own auditions only when they could find the time, in some cases at the last minute. Directors still have responsibility for casting, but now have a classified list of available actors at their disposal. Flavored that with a constant supply of new talent at hand it will keep selecting top-notch into the programs.

As of last March 31, a total of 1,471 persons applied for auditions during the 14 months the policy has been in effect. Of that number, 1,170 were considered to have enough ability to warrant auditioning. Of those registered, 386 failed to appear when called, and were dropped from the active list. And 384 still remained to be auditioned as of March 31.

Of the 1,170 auditioned, 816 were found worthy of further consideration and were recommended to directors as available when suitable parts should come up. A number of those used had never before appeared on B-S-H programs. In terms of percentages, 36% of those auditioned were rated worthy of further consideration, and of that group 75% received employment.

Auditions are now being held at the rate of two a week, with around 25 candidates heard in each. Each candidate is given five minutes, but previously instructed as to the type of material most suitable, what the agency's general requirements are and other helpful factors. Performers are then classified as good, fair or poor, and according to type, dialect and similar data. Directors receive weekly bulletin of new actors available. Auditioning department always seeks to have new actors used for new parts, rather than have the director use an actor who has worked for him numerous times before. Also try to avoid too much doubling by a few actors on various shows.

Lloyd Hammond and Frances von Bernhardt are in charge of the auditions and the casting list. Frank and Anne Hummert pass finally on all matters of casting.

WDRC Set With A.F.M.

Hartford, May 7. WDRC and local musicians' union have signed a pact for the employment of five musicians at that station.

Previously the station carried its musicians on the payroll.

KMOX, KSN Set. St. Louis, May 7. A.F.M. Local No. 1 has agreed with KMOX and KSD to expire April 1, 1949. Under terms with KMOX a minimum of 17 weeks will receive \$68 for a 15-hour week while at KSD six weeks will receive \$22.50 for a 15-hour week. Previous terms are receiving \$40 for a 15-hour week and KSD, KWC, WFL and KMOX are employed three each. WEW and KXCH each one two at the same scale.

NBC OPERA FEE ISSUE UP

**'IF IT'S VALUABLE,
PAY FOR IT'—MET**

Edward Ziegler, assistant general manager of the Met, in answering AGMA's charges declared that the Met has not been in a position to sign contracts with its artists or AGMA, because it has not known if it would be in existence or not. With the drive reaching a conclusion, the company will soon be in a position to discuss matters with both organizations.

In discussing the matter of artists fees Ziegler declared that at the Met an artist is engaged for the 14-week season, and may be guaranteed three performances a fortnight or a week, for more than, he points out, the much shorter Chicago or Los Angeles seasons can afford. It is cheaper, too, for a singer who spends the entire season in N. Y. The Met, he insists, singers, allows an artist to make as many concert engagements as is feasible, and does not hinder or attempt to capitalize on these engagements.

As to the NBC franchise fee, Ziegler remarked that some of the artists had complained about it to him, and he had referred them to NBC, or suggested they drop the Metropolitan connection from their programs. They protested against this, said Ziegler, and wanted to use the Met name, claiming otherwise they could not get the booking. If this is true, he concluded, why should they not pay for the use of such a commercial asset.

As to the donation of the Chicago opera house to the Chicago symphony, Ziegler refuted the AGMA impression, and said that the house was temporarily rent free only, being owned by a Chicago bank. The Met has often suggested its own plans to suit the convenience of another company, notably the Chicago, whose dates conflict with those of the Met. It does not demand that Chicago pay for the right to use its artists, or charge the singers anything. Only if the singer is on a weekly basis, if he chooses to sing in Chicago, the Met does not pay him for that week.

Some of the Met officials at any time give rates for the engagements of singers to other impresarios, only aiding these men in the selection of their talent by stating how a certain singer may have gone over in a role.

Ziegler declared there was no Met board meeting scheduled this week, and stated that the question of Edward Johnson's re-engagement had not even been discussed, intimating it was a foregone conclusion that he would be.

The attitude of the assistant general manager was that a musician was being made of a mule, and that the apparent performance of the question was not as desired by officials of the Met. Ziegler feels that the entire controversy can be framed out in a few formal discussions with the proper parties.

He concluded by stating that the true and the question of raising money for the Met's existence had an occupied official time that all other matters were dwarfed into insignificance for the moment.

Engles Prods
George Engles of NBC, when questioned on the statements of AGMA, also refuted most of them, declaring that the entire matter had been planned in an incorrect position. He declared that, when an artist fee is quoted him, that the franchise fee is already deducted, and the singer and AGMA have the lot of fees to be charged. The idea that the money is deducted after the performance is not true, he said.

Far from being a financial aid, sponsorship of the Met through the sustaining network costs NBC \$200,000 yearly, he declared. It was also pointed out that from Nov. 1, 1935-Feb. 28, 1940, the franchise itself has cost NBC in excess of \$100,000, which is a far cry from the reported \$200,000-\$300,000 gained thereby.

NBC has not agreed to the elimination of the franchise fee, Engles went on to say, as that is a matter between the Met and AGMA, and the broadcasting network cannot be

How Franchise Fees Apply

The franchise fee, which the major portion of the battle rages, operates as follows:

A singer under contract to the Met must pay to NBC \$200 for every radio engagement from \$100-\$200, \$100 for an engagement setting from \$200-\$500, \$200 for an engagement from \$500-\$1,000, and \$250 for any radio fee in excess of \$1,000. Even should the artist be a Columbia contractor, he must pay the fee.

In some cases where the fee is very small, NBC has waived its rights, and the Saturday matinee broadcasts of the Met opera are not included. In some cases a technicality exists; for example, Richard Crooks, who is a regular on the Firestone hour on Monday nights, is understood not to pay any franchise fee, because he is a "guest artist" at the Met, despite the fact that he has sung with regularity at the house for a half dozen seasons.

NBC then turns this and other monies back to the Met for the sustaining rights. These figures are reported to be \$200,000-\$300,000, although Edward Ziegler, assistant general manager of the Met, declared that, in his opinion, such an amount is far in excess of the actual figures.

TAKE A PEEK

KMBC Auditions Its Arts in Unusual Ways

Kansas City, May 1.

Dick Marvin, of Eby agency, stopped off at KMBC last week to get a slant at station's likely talent. Felix Adams, program director; Jimmy McConnell of the artist's bureau; and Chick Allison of the publicity department, got their heads together to make up a presentation for him. Half hour was whipped up under title of "More Fun," with an m.s. and all the trimmings, following which Allison provided a presentation booklet with convenient photos and descriptions.

With a similar purpose in mind, McConnell showed off eight of his artist bureau acts under title of "Hot Time in the Old Town" for the benefit of Griffith theatre circuit managers, who convened at the Ambassador hotel.

Depend Show Before Women's Club Convention; Mrs. Milligan Fixed It

Depend will broadcast its May 21 installment of "Cavaliers of America" from the auditorium in Milwaukee in which the General Federation of Women's Clubs will hold its annual convention. The script will be based on Jane Addams' career at Hull House, Chicago, and Helen Hayes has been booked to head the cast for that evening. Mrs. Harold Milligan arranged the tie-up.

A substantial delegation from the DuPont organization in Washington will be on hand for the event. Last week, "Cavaliers" was the first commercial program to receive an award from the Ohio State University Institute for Education by Radio. R.R.D. is the agency on the show.

Lou Holtz On Locally

St. Louis, May 1.

Dian Advertising Co., on behalf of Columbia Brewing, has worked out talent group for its "Alpine Varieties" show for its "Alpine Varieties" show, who spent a three-week engagement at the Chase Club saloon, will be the first of performers to appear on the program. Dick Holtz for Holtz to participate in each week day show during his stay here that starts Friday (15).

Gertrude Jones will follow Holtz as a guest.

a party in a branch of interest. Should the Met agree to the elimination of the fee, NBC would acquiesce, wherever it will be discussed.

The question of the fee many times is the result of a manager of a singer failing to explain the situation correctly to the artists, and declaring after the broadcast, and claiming that money was taken out at that time, without informing the artist of the fee beforehand.

If a singer feels that Met seems to be worth anything, the singer then should be willing to pay for it, Engles concluded, warning Ziegler's comments on the same subject.

ROCKWELL, WLW, DUBIOUS ABOUT F-M

Chattanooga, May 1.

Robert J. Rockwell, broadcasting technical supervisor for the Crutcher station here, is brash on frequency modulation. His point is that F-M merely does in another way and with perhaps some advantages inherent to it exactly what the present, "old fashioned" amplitude modulation does.

"First," Rockwell says, "in addition to the inherent noise suppression of F-M the main reason that frequency modulation is superior is that it operates on a short wavelength where static is virtually unknown. Therefore, less power is needed to transmit programs without interference in a given area, since none of that power must be used to override interference. That, from the broadcaster's standpoint, is an advantage."

However, the fact that the effect of frequency modulation does not rapidly beyond the horizon, distance varying in different localities from 20 to 30 miles, is a drawback from both the broadcaster's and the listener's standpoint. This is due to the fact that very high frequency waves will not bend around the earth and travel for great distances. Amplitude modulation programs, on the other hand, can be heard hundreds of miles away on low frequencies.

Rockwell calls "true, but misleading," the fact that, in frequency modulation demonstrations, the sound has been such that the program seemed to be originating in the same room with the listener, instead of in a studio miles away. He attributed the phenomenon to the use of high-fidelity audio amplifiers and speakers in the receiving sets, or to put it another way, "Put a high-fidelity amplifier and speaker in the ordinary radio set and you will get the same effect. You will get what seems to be perfect reproduction."

"There's the trouble. If you jangle keys in front of a microphone, it won't sound like that over the receiving set. Why? Because the sound is higher than 20,000 cycles—the high for the ordinary speaker to reproduce faithfully. If you crumple a piece of paper in front of a mike, the same distortion results, because the speaker is incapable of reproducing the true sound—not because the regular amplitude transmitter doesn't put it on the air faithfully."

'Rains Came' for Radio

"The Rain Came" has been turned over by novelist Louis Brandeis to his radio agent-brother for radio adaptation purposes.

It is to be rig it up for full presentation from Hollywood, with a name romance in the scale lead.

General Tire Exec's Son Will Run WJW, Akron

Akron, O., May 1.

As forecast a month ago in Variety, it is now admitted that only Federal Communications Commission approval is needed for the formal transfer of the controlling interest in WJW here to William O'Neil, Jr., son of the president of General Tire & Rubber Co.

The deal is said to involve \$20,000 and young O'Neil will be the president of the company.

Telford Taylor, 32, Is New General Counsel Of FCC; a 'Regulator'

Washington, May 1.

In record time, the Federal Communications Commission Monday (1) picked a new general counsel to succeed William J. Donnelly, quitting to hang out his shingle and try to cash in on his 1,000% batting average in radio litigation. Another New Dealer from Harvard law school—Telford Taylor, now a special assistant to Attorney General Jackson—takes the reins.

The newcomer is a 32-year-old graduate of the institution which turned out so many Roosevelt Administration legal birds and he earned degree under Supreme Court Justice Felix Frankfurter. A graduate of Williams College, he taught at his alma mater for two years before becoming law secretary to Judge Augustus N. Hand of the second circuit Court of Appeals (New York City).

Taylor, who was picked over several veterans of the FCC's own legal staff, is reported to hold strong views on such matters as strict government regulation, public interest, and monopoly. His background includes two years in the Agricultural Adjustment Administration and four years as associate counsel for the Senate Interstate Commerce Committee's railroad investigation. He went to the Justice Department last year and has acted as head of the section handling matters in the Court of Claims.

Selection of an attorney from some other government department was not surprising, although members of the radio bar considered it somewhat unusual that the job should be filled so speedily. In the past, there have been long waits before men were chosen for key administrative posts, with much political wire-pulling adding to the delay.

Although he worked under Senator Burton K. Wheeler—close adviser of Communism and industry affairs—from 1933 to 1935, Taylor is said to have been chosen without regard for political backing or affiliations. He was highly recommended by Attorney General Jackson and is considered to have been hand-picked by the brain-trust faction of the Roosevelt Administration.

Failure of the FCC for the third time in its six years of existence to promote someone from its own ranks to the top legal job has caused comment among radio lawyers. In going outside, the regulators could send several lawyers who have been connected with radio matters for many years and who have handled many highly important cases and investigations. Effect on the morale of the Commission is likely to be reflected by resignations in the near future, inasmuch as some of the lawyers had been hoping at last to see some indication they might look for advancement. Names of at least ten prominent Communists attorneys were put forward before Taylor was selected.

COUGHLIN BACK OCT. 6 OVER 49 STATIONS

Detroit, May 1.

Father Coughlin quits some May 12 for summer months and resumes Oct. 8 with new 15-minute series over 49 stations. Two weeks' notice being given stations, some of which already have returned signed contracts for next fall.

Coughlin normally checks out during hot months and plans vacation this summer.

GUILD CRITICAL OF PRACTICE

Metropolitan Opera officers and leaders of the American Guild of Musical Artists are due to meet in an attempt to iron out their differences. Despite previous reports that only the franchise fee would be the subject of discussion, it has been learned that AGMA will demand that the Metropolitan sign the usual AGMA contract, which will include minimum fees.

AGMA also wants Met officials barred from holding personal management talks with singers or selecting personnel communications.

The Met has evaded contract issue repeatedly, pleading pressing business. Sometimes it is reported unable to sign a contract with its artists, who are essentially self-employed, and others have told its members that until the Met meets it half way, it demands its artists do not sign any contracts. The Met has also declared that it cannot meet itself until it reaches its \$1,000,000 goal. It is now at that figure.

AGMA officials are somewhat puzzled at NBC for the oft-repeated statement that NBC has contributed \$1,000,000 to the Met in the last decade. It is pointed out that as a result of the franchise fee, NBC has received from \$200,000 to \$300,000 back from the singers themselves, and about \$200,000 more from the five years of sponsorship of the broadcasts.

Chase Not Underpays

Since 1932 it is claimed singers have been appearing at the Met for fees which are under what they receive from other opera companies in this country. As an example Lawrence Tibbett gets \$200 from the Met per performance and \$2,500 to \$2,500 from Chicago and San Francisco companies. As a result of the franchise fee, they demand part of their salary in reductions and part more through the payment of the fee. The \$1,000,000 drive is also looked on with jaundiced eyes by some singers, who point out that the money is really for the purchase of a house owned and operated by Met stockholders and officials. In a similar situation in Chicago, the house was donated to the company.

With indie companies such as the San Carlo Opera and Salmagundi's AGMA demands a minimum fee of \$150 weekly for singers for three performances, or \$40 a performance on a per-performance basis. The fact that the Met has some artists who are singing leading roles at \$20 a week, and singing three times a week at \$12 a performance, is cited in one case in particular. Sidney Rayner, American tenor, found it more profitable to give up his Met engagement and sign with Galle, where he was assured of steady work.

AGMA is apparently willing to let the Met decline to allow its singers to appear in N. Y. City with lower wages, or in engagements which might hurt the dignity of the house, but will go as far as higher fees and expenses for traveling arrangements will be sought by the union, and lately the elimination of the Met as a clearing house for its artists' engagements will be sought.

SEC Report on Paley

Washington, May 1.

William S. Paley, CBS president, early signed out his direct holdings of the web's stock during March report of the Securities and Exchange Commission disclosed last week. No indication who bought the paper or whether the deal was in accordance with his recently registered plan to turn large block over to Wall Street banking houses.

The statement showed Paley on March 1 included 20,000 shares of the A paper, keeping only 120 in his own name. His holding company still amounts for \$7,500 shares. He also sold \$5,000 shares of the B, keeping \$1,500, and gave away to an undivided beneficiary \$770.

Outlines Plot, Then Ignores It

That's Elaine Sterne Carrington's Radio Serial Slant
—Her Morning Literary Grind

By BOBE MURKINSON

Daytime radio might keep its head in the presence of books, magazine fiction or other so-called "literature." The week-criticized serials have a definite and legitimate place in modern American life. They can and sometimes do teach valuable lessons in human conduct. And if they aren't a bit of a form of art, they frequently represent profound wisdom expressed in universal terms.

That is the belief of Elaine Sterne Carrington, author of "Pepper Young's Family" (which has been one of the top serials for several years), "When a Girl Marries" and numerous other prominent. Mrs. Carrington is more than one of the best-known money-makers in the radio writing field. She has also been a successful author of fiction, both in books and the class magazines, and in the days of vaudeville wrote sketches that played the Palace. So with her, at least, it isn't a case of respecting only the medium which pays her a comfortable living.

Wife of an attorney and mother of two children, Mrs. Carrington professes what she calls "family" programs. She likes children and even there are always several of the neighbors' youngsters running in and out of her home in Brooklyn, playing with her children and unconsciously giving her material for her scripts. She demands a certain amount of comedy in her shows, explaining that she can't imagine a family without a touch of humor.

As proof that "Pepper Young" and "When a Girl Marries" aren't heard only by housewives, Mrs. Carrington gets many letters from men and children. The latter regard "Pepper" as their program, she says, frequently sending her suggestions and observations. And often her own youngsters inquire how such-and-such a situation is going to come out, or tell her to make the story go a certain way.

Not Mimes

She also gets a steady stream of presents from listeners. Many are addressed to characters on the shows, but most are sent to her. She regards the fact that so many correspondents realize that the writer is responsible for the show as indication that most daytime listeners are not mimes, as is sometimes charged.

Although she has never met one of her listener-correspondents, Mrs. Carrington always answers every letter she receives. In many cases this leads to replies from the listeners, so she has gradually built a voluminous correspondence with all sorts of people all over the country. It requires a great deal of her time, but she feels that it gives her a broader viewpoint and keeps her in closer contact with life outside her own sphere.

However, the real reason she makes it a rule never to permit a letter to go unanswered is that as a girl she wrote many fan letters to actors, playwrights and authors, but never once received a reply.

Although the popular "family" shows with a touch of comedy for herself, Mrs. Carrington refuses to discuss the oft-heard emotional melodramas written by others. "I can't comment on them," she remarked. And then adds, "I never listen to them." She thinks the Westchester comedy (H. V.) showwomen who recently criticized daytime radio have several logical points, but believes there are two sides to the question, and that the criticism only expressed one side.

That Young Debbid, Pepper

Mrs. Carrington says that the characters in her shows are not based on actual people. But she feels that to write convincing drama the author must believe in his characters. She herself always refers to "Pepper" as if he were a real person. "Pepper did such-and-such," she says, or "Pepper is at the age when he thinks so-and-so." And in explaining how she doesn't plan her stories, but that they grow naturally out of situations, she tells how "Pepper keeps getting out of hand. I can't control him." After eight years, Pepper has obviously come to life for his creator.

Mrs. Carrington does her writing in bed. She dictates her scripts and

herself she can write better and faster while she's lying comfortably stretched out, smoking a cigarette and completely relaxed. After her secretary types the first draft, she makes extensive revisions in pencil and the script is retyped. She then makes a second revision and the final draft is then typed. She always works in the morning, refusing to let herself get out of bed until her day's quota of writing is finished. She always is at least three weeks ahead on her programs, which gives

her ample leeway and avoids the racing of penmen. It also gives her agency, directors and actors plenty of chance to familiarize themselves with the script, discuss problems and make any other preparations. She submits monthly programs and a yearly story outline to the agency, but never starts in it.

Authors are generally inclined to be modest by nature, Mrs. Carrington believes. Her theory is that because they are temperamentally unable to express themselves with words, they must find release for their thoughts by putting them into writing. She herself cannot talk about her stories in advance, but when let them come inside her until they're ready to be expressed in writing. She thinks this is characteristic. As she expressed it, "Writing is like a bottle of pop. If you take the top off, it all flies away."

MARMALADE SPONSOR

NBC Breakfast Club Sold to CFCF, Montreal

Montreal, May 7.

Cockfield & Brown Agency has bought second quarter hour of NBC Breakfast Club for Sheriff's Marmalade over Canadian Marconi station CFCF and related stations in Dominion.

This is the first local sponsorship of Breakfast Club show since NBC threw outliner open for commercial accounts on last basis.

Reginald Bark—Jim East added to the sponsoring staff at CFCF, from CHAB, Moose Jaw.

Baseball scores on WTSL, Toledo, now sponsored by Financial Securities Corp. Bob Ingham broadcasting.

15c TOO MUCH DENTS 'BILLIES'

Kansas City, May 7.

"Break Creek Follies," Saturday night hitfully visual KMBC show, wound up its season last Saturday with a record 11,000 seats in the Franklyn Temple. Admission for first broadcast was set at 15c against 25c the week with which "Follies" opened season.

Paul Denny season has shown that capacity prevails at 15c top but empty chairs are visible at the top. Show has been fed to CBS by KMBC as a Saturday afternoon substitute.

Where was your sales curve...

That was Saturday night, in 1939.

What were your sales that week?

If they weren't where they should be, have they got an alibi?

Did you support them with advertising that week—and consistently the weeks before?

If not, why not?

A week is a market for your goods. As real a market as any town. You make more sales in one week—in any one summer week—than you make in almost any town you can name, in a year. The week is a bigger market!

Why not protect that Summer market?

Too expensive, you say? Fish & tush! That's the answer people gave twenty years ago—before a swift advance in advertising you've been hearing about. And hearing. Radio protects every week's sales.

It cures the irregular pulse of advertising, the chronic spottiness of other campaigns. It closes gaps in sales-support that once were weeks and months wide. Radio does this because it enables you to cover every market every week every month; protecting the whole market with a "frequency of insertion" no ordinary budget can buy anywhere else.

That's hardly news to Chrysler, Pet Milk, Liggett & Myers and Ford. Or Procter & Gamble and Lady Eather. These companies,



FIRST NIGHTER MAY GO VAUDE

Chicago, May 7. "First Nighter" program has been approached for possible personnel, and Tom Wallace and Joe Ainley, of the Ashbey, Moore & Wallace agency here are confabbing with Dan Elliott, chief of Chicago office of Columbia Artists, over likely vaude route which would take unit show through key cities of midwest and east.

Understand that Paramount-Rathbone & Katz has offered Illinois and

Indiana time prior to date to the trip early in June.

Goes Off May 11
"First Nighter," 30-minute dramatic series out of Chicago in the 8:30 Friday night slot over CBS, goes off after the May 11 stanza. Campaign is the sponsor.

"Grand Central Station," half-hour dramatic series for Listelton, moves up from the surrounding slot (10 p.m.) over the same network to replace it. Lambert & Fowler is the agency for "Station." Show to take over the 10-10:30 vacancy isn't set.

L.A. Col. Reinger's Job
L.A. Col. Gustavus Reinger has become "sales engineer" of the Radio Engineering Laboratories of Long Island City.

He was with NBC for a time in the early years, running in from General Pershing's staff.

AFRA Organizing Detroit

Detroit, May 7.

With James Porter, American Federation of Radio Artists' field rep locally in town, local AFRA group has started conversations with WJR here. Porter has had two talks thus far with Les Fitzpatrick, WJR's executive vice-president, and hopes to get down to brass tacks as soon as Fitzpatrick returns from his trip.

Porter has also contacted William J. Scappa, general manager of WJR, but expects to concentrate on WJR for time being. Plans to attempt negotiations with WJLB and WJMC, following WJR and WJL models, and then swing across river to CHLW, Windsor-Detroit. AFRA signed its initial contract here in February with WKYC.

Hokum Not Pushing Over for Art

By Jack Hasty

Isn't all this talk, propounded by Menck, Teysser, Taylor, et alia, about the emergence of the daytime serial from its crass, commercial chrysalis to a position among the beautiful things, just a bit on the naive side?

After the kicking-around which the daytime serial has received, both in the columns of our own estimable literary journal, *Variety*, and elsewhere, no little admiration must go to anyone venturing to the daylight serial's defense; but aren't these champions overlooking a little?

It must be obvious that governing the daytime serial are various hard, brutal factors which will forever prevent it from becoming first-rate drama, or even third or fourth-rate drama.

Basically, the daytime serial is an economy show. Its reason for being lies in the fact that daytime rates are considerably lower than evening rates. And along with time costs, production costs are correspondingly scaled down. The average price paid

for a daytime serial script is somewhere between \$25 and \$50. This fee is not going to attract even great dramatists. It's going to attract writers who need \$25 or \$50. Even if it did attract great dramatists, I'm afraid there are severely enough of these to go around.

But assuming that there are enough great dramatists, let's accept for the privilege of elevating daytime serials at prevailing rates, other hurdles exist in the path of Betty and Bob, the Perkins and Lawrence Jones. Not the least of these obstacles is the fact that even great dramatists cannot consistently write great drama. Out of the daytime serial's 15 minutes, approximately nine minutes are devoted to story. Five minutes a day, five days a week, by a single mathematical process, no doubt known to Menck, Teysser and Taylor, becomes 45 minutes of story per week, the equivalent to one three-act play each three weeks, or about 17 complete plays a year.

I have no notion of the exact odds against a dramatist's writing 17 great plays a year; but I have a hunch there is ample room for the lava of chance to get in plenty of dirty work.

There is still a greater hazard to the glorious destiny of the daytime serial, even though it is penned by a great dramatist. For seldom is he permitted to follow his own heart, he is subjected to pressures found in no other field of dramatic writing—the pressure of deadlines, of writing to fit exactly nine minutes and 30 seconds, of network regulations, and the whims of sponsors.

More often than not he is forced to write to a pattern created by someone else. He is provided with a formula, with plots and situations long ago worn thin and discarded by his craft, but now and marketing to radio sponsors. According to press agents—and who would mistrust a press agent?—something like half the daytime serials on the air are outlined by two geniuses, the outlines then being turned over to a writer who merely pencils in the dialogue.

These two geniuses are, no doubt, greater than Shakespeare and Ovid, and Desdemona and Fletcher and Goldsmith and Turgenev and Chekhov and Ibsen and Bjornson and Turgenev and Shaw and George de Porto-Riche and Galsworthy and O'Neill and Maxwell Anderson; but half the daytime serials on the air—no, they can't be that good.

I would like to agree with Mr. Teysser as to the flowering of the daytime serial, even if only to boost some of the shows which I am writing; but I'm afraid I can't. I'm afraid that Mr. Teysser is a little too optimistic about the daytime serial's coming of age, and that for a long, long time we shall continue to hear via our loudspeakers the patter of little feet.

Presidential Poll via Air

Quincy, Ill., May 7.

WDC has started a presidential poll within its broadcasting area through a quarter-hour program that it originates from a different town Saturday afternoon. Accompanying the short-wave truck is an engineer, announcer and entertainer, with the last named used to keep the participants occupied while the poll-taker, Fran Houston, reports the results.

Persons interviewed are asked to state occupation, residence (town) and presidential preference. The program is locally sponsored.

Jackie Miller on Air Again

Pittsburgh, May 7.

Jackie Miller, who has been off the air two years, returns to NBC in Chicago in two weeks for regular sustaining build-up over Blue with the first-act singer pulled out of Chicago set-up in 1938 and since then has been playing vaude and salaries earliness. At that time he was featured vocalist in Chick Matine's.

Currently he's at the Ohio Villa in Cleveland for a fortnight, and goes from there to Chicago, where he will double between broadcasting stints and high hat club.

on the night of August 12?



and many others, have discovered—and have put into use—the technological advance in advertising made possible by radio: a major sales impact every week—within a practical budget. All these advertisers now protect their sales 52 weeks of the year, fighting as successfully for their share of the Summer market as they fight for Texas or Illinois. Why shouldn't they? Compare retail sales, payrolls, or production: *Summer is three times as big as Illinois!*

Radio makes this market as easy to protect, and expand, as any other. There are now 6,500,000 automobile-radios on the road. There are 1,000,000 more new portable sets, travelling wherever America travels in Summer. (The people who go away don't get away—from radio!) And 21,900,000 families are known to listen each summer day at home!

Clearly, radio listening is no exception to the habits that make this nation a market. In summer as in winter, people eat and dress,

shop and spend, work and have babies. Summer makes little change in the daily routine of the vast bulk of families—so why not tell your story to them every week? Radio makes it possible. And profitable.★

Did you know that (CBS Summer Selling) was the highest last summer than the year before? That more families listened to radio last summer than in any previous summer? That you can still expect more families will listen this summer than last?

Did you know that (CBS) is now carrying a higher volume of advertising than any other network? (Radio) is now carrying more advertising than any other network? (Radio) is now carrying more advertising than any other network?

Columbia Broadcasting System

Radio Reaches the Farmer

'Easiest, Most Effective Route to Large Numbers of Scattered People'

By C. M. East
Department of Agriculture
County Agent
New Albany, Indiana

(The following remarks are substantially those made by County Agent East at the Institute of Education by Radio at Ohio State University in Columbus last week.—Ed.)

"Good afternoon, everybody—This is Jerry, and 'Meet the Farmer,' bringing to friends of town and country an opportunity to keep in touch with what's doing on real farms, and in real town homes in this neighborhood.

"Connected with the war emergency, we call to your attention that the information presented on this program is not rendered by anybody. With the exception of our professional make-uppers, all of us who take part in 'Meet the Farmer' are—probably you've already noticed it—out in radio's kindergarten. We're farmers, farm women or County Agents. You can rely on the facts we give you, but I'm warning you—the interpretation of those facts is entirely the personal opinion of the speaker."

That's the introductory announcement of 'Meet the Farmer'—a local radio program whose regular participants are the County Agents of six Southern Indiana counties, the only Home Demonstration Agent in the district, and a Home Economics group from my own county. To these regular participants we have added from our guest list people of our community who have had an interesting story to tell. Within recent weeks these guests have included:

A man who quite a little while ago was a physician in the thing he wanted to do—farm; a County Superintendent of Schools; Chairman of the Indiana A.A.A.; a farm woman who took an old barn of a

house, and \$200 and turned the two of you into a comfortable home; a man who has almost completed a job of erosion control of his 12-acre farm—and did it with no outside help and in a year's time; and a State Champion 4-H Club boy. These and others have been our guests. And on May 12 we'll have Shirley Watts, whom I expect to be quite interesting. His story is brief in this—he has fed, clothed and educated his little brood of 12 children—15 if you living—one a 12-acre dairy farm.

Weekend Time

Our program had its birth pains when we needed something, and got out to find it. Here was our situation as Extension (educational) people. We had a lot of problems that were common to the whole district; among those problems, one that ranked high, and handled plenty, was the time wasted in telling our story in our publicity. And, before you decide that our publicity interest is entirely self-interest, just return with me a part of the law that created County Agents.

"To aid in diffusing among the people of the United States useful and practical knowledge on subjects relating to Agriculture and Home Economics and to encourage the application of the same, there may be, etc."

So publicity is a part of our job as County Agents. But here is one to get that part of the job done when each land paper, some of which, covered the area, demanded a special story; and we had to have a big story in order to take more than a few lines in the Lenoire papers. There's another angle, too—that of the news that's interesting to a good many folks, but isn't newspaper news.

Well, our effort to solve this prob-

Now It's Charades

Los Angeles, May 7.

Charades, one of the oldest of the parlor games, has finally been accepted as the radio to the extent that it is being participated in. Gershwin agency is staging the weekly game for Motion Picture Radio on KFI and prizes for the best guesses as to what each of four stars represents culturally are the game product, which attracts the listener.

Charades was originally a sight gag with guesses but here they are used by sound in any number of things explained by the announcer.

less of doing a better job of work with a saving in time let us try radio. That was nearly three years ago—when 'Meet the Farmer' was born.

Because 'Radio'ers

And with that we turned ourselves into 'radio'ers as best we could. The other folks on the program will speak for themselves if you care to ask 'em, but from now on it's just Jerry talking—as we warned. I'm handing you first a bit of the 'Barnyard Philosophy' with which we begin each program—hoping to create an attitude rather than furnish any worthwhile information.

I've been wondering about something. You know that both of us prefer to get our information—and especially our advice—from a fellow that's made a number of his own business. I still believe that's a pretty good idea—but I've been wondering if we don't carry that too far sometimes. Maybe we carry it so far that we fail to get some mighty worthwhile suggestions from folks just like ourselves—folks that don't make such a howling success of life, but do have a pretty good notion some in a while.

After all, doesn't this come somewhere near the right answer? Don't we make the mistake of thinking that, just because a man has made a financial success, he knows a lot about most everything—when maybe his financial success came in a line of work that doesn't fit him to answer our questions? Furthermore, I doubt that Houndley knows much about the radio in Blue River. And what if you give the radio's opinion on the vitamin content of live-applis? Yet both men know their own business—for themselves.

Yes, you probably need a sharp razor if you're going to shave—but a dull knife's just as good for shaving a glow point.

And speaking of dull knives, I'm not telling you how a County Agent can use radio, but here's how—and why—I use it:

To Help Make Friends

I use radio to help make friends—personal and professional, using the most effective way that I know. I get them to do something for me—to join me on a program for example. I believe such a move helps in making a friend for me, the office and the station—and it is a most effective means of Extension teaching.

I use radio to tell the value of Home Economics Club Work and to arouse an active interest in its activities and growth. We had four such clubs in my county when 'Meet the Farmer' was born; now we have twelve.

I use radio to tell of 4-H Club Work—of the accomplishments of clubs and of individuals—word of interesting coming events.

I use radio to tell folks when and why to spray for apple scab—perhaps it's a warning to him, not for an outbreak of big cholests, or of how to live without home beetles.

I use it to tell of meetings—agricultural or community—religious or secular—that are of interest or importance to our neighborhood.

I use it to present a program of church hymns and of light classical music as an antidote for the hill-billy stuff that comes in much national obligation.

I use radio to promote the interests and activities of rural youth—one of the most valuable, potentially, of all rural organizations, but one which is a wanderer, day-in and day-out in many counties.

I use radio to tell people of the plans and the successes of other people whom they know—and whom judgment they respect.

I use radio to acquaint people in town with what's going on in the county, and of the effect of agricultural prosperity on their own business.

I use radio to report on my own activities of the past week. You can tell a chap you're busy, and his natural reaction is, 'So what?' So in I. But radio the happenings in

Inside Stuff—Radio

While Norman Corwin's Hollywood Radio and it on the verge, two other CBS production department personages are gaining some outside attention this week. Author Erik Barrow has a 'morality play' called 'Every Day' at the Metropolitan Players (Earl Hall, Columbia University) which breaks a lance at our modern American capitalism tyranny. It got over very nicely Monday and seemed expandable for Broadway. Meanwhile producer Earl McGinn has added another volume to the growing radio shelf, 'Radio Directing' (McGraw-Hill; \$2.50) which is a compact, practical, hard examination of the problems of direction. Like most of the books of this class, the fact that it is intended for classroom makes kindergarten matters prominent.

Introductory spiel on 'Grand Central Station' series has always drawn considerable mail, mostly in the form of requests for copies of the script. Fines is something in the effect of how the 'voice' rush along the ribbon of steel, speed down the Hudson and plunge into the sunset toward the great metropolis. Tupper in requests was received last week when a highschool student wrote for the script, which his teacher had suggested he use for his address in public speaking class.

There was written by Martin Hurrell, v.p. of the Lamson & Freley agency, which handles the show.

American Society of Composers, Authors and Publishers doesn't anticipate any real activity from radio stations in the matter of taking out new licenses until late September or early October. In the meantime it will make its management available for informative talks with broadcasters.

The new contract forms for broadcasting have not as yet been completed by A.S.C.A.P.'s counsel.

Mrs. Clay Morgan, wife of the NBC public relations director, is greatly concerned for her entire family, all of them citizens of Denmark save one brother in America. Mrs. Morgan came to this country years ago, and as Ellen Glasgow was well known in dramatic stock. Impossible to resist sympathy in the new German-controlled kingdom.

Thousands subscribers are getting biographical sketch and other material on talent based on the show made by the NBC recording division. Bulletin are daily as prepared by Willis Parsons for Frank Chinnin.

widely-scattered communities, and let's get to think. That guy sure gets around—and, boy, does he know this country and what's going on."

I use radio to help bring weather and livestock reports to people whose livelihood depends in large measure, upon an accurate foreknowledge in both fields.

I use radio to get on to other folk a bit of 'Barnyard Philosophy' which, I hope, will broaden their outlook, lighten their vision, and generally increase the scope of their consciousness.

I use it to get on to my friends an occasional wisecrack that is good enough to elevate the spirit—and the corners of the mouth.

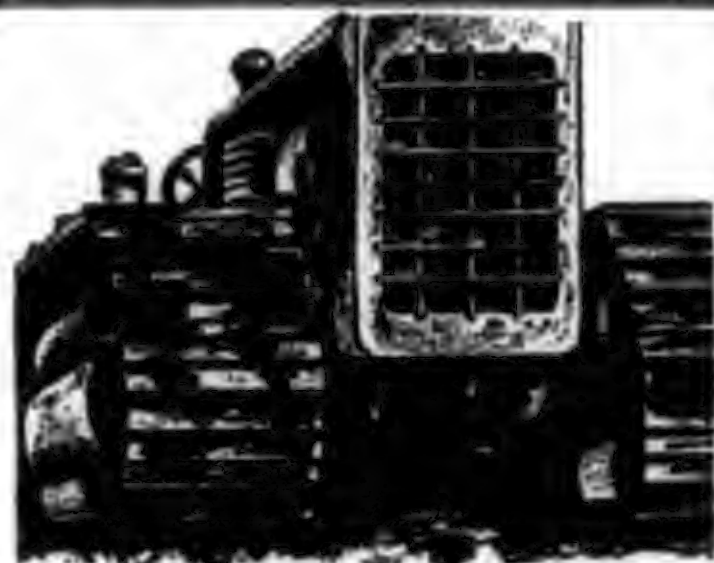
I use radio to advertise the virtues of Floyd county—its activities and its people—to the home folks, and to as many others as will listen.

I use radio because I believe it helps me do a better job of serving the people with whom and for whom I work. I find radio to be an effective and an enjoyable way of earn-

ing my bread and butter—and I am prejudiced in favor of regular meals.

And now, my skeptical friend, here's a problem in arithmetic. Let's guess that three-fourths of the 10,000 farm families in my area are fair game for Extension teaching. If 10% have radio—and more than that do have 'em—that gives a little over 1,000 homes as a potential audience. How many individuals? You guess. Does this sound like the Home Economics system of Mathematics? All right, discount my potential audience by 50% and then discount that figure and you still have an audience on which I'm glad to spend a couple of hours of radio preparation. It's a bigger audience than attends my average meeting in a hall. How about you?

Glenn Donley Kohl has switched her 'Children's Chapel' program, now-known Bible dramas, from WHEM, Buffalo, to WGR, where she also has joined the drama staff.



MAXIMUM
POWER
WHERE IT COUNTS
WHAS

SELLING A \$2,214,269,000 MARKET
50,000 WATTS BASIC CBS OUTLET

REPRODUCED MATERIALLY BY EDWARD REYER and CO.

Write, Wire or Phone
**YOUR NEAREST
VARIETY
OFFICE**

To Reserve Space in the
1940-41

**VARIETY
RADIO
DIRECTORY**

NEW YORK
154 West 46th St.
BRyant 9-8152

CHICAGO
34 W. Randolph St.
Central 4431

HOLLYWOOD
1708 N. Vine St.
Hollywood 1141

EX-GOVERNOR'S REGIONAL WEB IDEA

Latest regional network project is the one that a group headed by former Gov. Dave Schulte is trying to set up in his home state of Florida. He's calling it the Pan-American Broadcasting System.

Various members of the group have applied applications for wave-length allocations in Miami, Tampa, West Palm Beach, Key West, Hollywood and Sanford, all in Florida. The ex-governor's associates are all local business men, except A. Ford Williams, named technical director, who is described as having radio experience that dates back to 1914.

Hope Australians May Cancel Yank Wax Ban If Coin Not Withdrawn

Sydney, April 18.

The Australian government may reconsider its ban on the importation of foreign radio transcriptions in view of the expressed willingness of American disc manufacturers to leave a major part of their local revenue frozen in war bonds or other sound securities. The government's action on imported transcriptions was due to its wish to conserve dollar exchange for wartime purchases. This policy is consistent with the government's similar action on other types of imports.

Since the shutdown there has been much pressure from American transcription sources seeking a reconsideration of the order. They have insisted that it would be okay with them if the government worked out a compromise of the dollar exchange angle that would allow them to continue business with Australia. Local placid importers would like very much to see the government relent and grant permission for a new schedule, which, based on 1939 imports, would be ample to cover Aussie station requirements for 1940.

Shutdown shutdown on transcription imports from the United States has resulted in a huge spurt of activity among Australian producers. Quite a number of new production outfits have recently entered the field.

If U.S.-produced records, heavily used on commercial stations, have faded away as stock on hand had about been exhausted just before the government ban became effective.

Waxed 'Beetle' on WNCA

WNCA, New York, and 28 stations through the south and midwest started airing a sustaining series of six serial shows based on the comic strip "The Blue Beetle." Juan V. Grambach adapts and produces the show from the original yarn by Charles Nicholas. Writing is done by the Fox Features syndicate, which handles the comic strip. Half-hour stanzas air at different hours Wednesdays and Saturdays over WNCA.

New York outlet also has two other sustaining waxed series. One is "Punchinello" and the other is "Adventures of Fu Manchu." Latter is based on the comic strip of the same name.

UDN REINACH'S WQXR TAG

Udo M. Reinach has been named to the board of directors of the Interstate Broadcasting Co., Inc., owner and operator of WQXR, New York. Other directors are John V. I. Logan, president; Elliott M. Singer, vice-president and general manager; Louis H. Marmorek, and Carl Y. Neumann.

Station's latest in power from 1,000 to 5,000 watts is expected to be ready for operation Aug. 1.

Baratoga Vicky Testing

Syracuse, May 7. Leighton & Bellamy agency, Schenectady, is conducting a test campaign for Baratoga Vicky Water in the Syracuse area, using participation in Fred Jekel's Musical Trunkshow on WYER.

Also using station breakers on WYER and WYEL, plus newspapers and other media.

STALL SAVANT GESH

CBS' 'Learning' Program Set Back
—Staff Young 'TN' Ready

"Invitation to Learning," forthcoming intelligent series which CBS planned to start this Sunday (12) in the spot vacated by "Thru the Keyhole," has been postponed and is now slated to debut with the May 20 season. Couple of 30-minute dramatic episodes will be written by staff members to fill in the two vacant Sundays.

"Learning" is planned as a half-hour adult series bringing three or four noted persons to juggle opinions and theories on the great works of literature. There'll probably be several permanent consultants and a name guest from the field of literature or some related branch of the arts.

Evans As Publisher

Spartanburg, S. C., May 7. Virgil V. Evans, who recently sold station WSPA to Spartanburg Advertising Corporation, will continue his newspaper, The Spartanburg News.

Echo to KDKA Switch

Pittsburgh, May 7.

Move in Variety last week that NBC had announced its first network in Westinghouse-owned KDKA brought only a brief statement from Leonard Kaplan, manager of West station, WCAE, which is currently the Red outlet. In a terse note to town's radio editors, he said:

"Our present contract with NBC does not expire until Dec. 31, 1941. We do not anticipate any possibility of a change in network service until that time, if then."

Understood here that KDKA, when it pulls out of NBC management July 1, will be satisfied with nothing less than the Red net, feeling that it's entitled to the better set-up by virtue of its wider coverage and radio pioneering rep. being the first radio station in the world. No effort on NBC's part to get KDKA to swing along with its present Blue will be tolerated, according to station's representatives.

Gillette Takes Elmer Davis at 8:55; CBS Selling Five-Minute Newscasts

WIP Envoys Elected

Philadelphia, May 7

Benedict Ginkel, Jr., was re-elected president of WIP, at a stockholders meeting held last week. Elmer A. Davis was re-elected vice-president in charge of sales.

Arthur Miller was chosen secretary to replace James O'Brien, resigned. Raymond Fisher was elected treasurer, and Ellis A. Ginkel again chosen as chairman of the board.

Ben Darrow's Summer Course

Buffalo, May 7

Ben H. Darrow, "Ohio's Working" pioneer now WBBN's educational director, will teach at State Teachers' College again this summer. Six-week course on education-by-radio opens July 1.

It'll be his third year with the course.

Columbia has begun to sell the 8:55-9 p. m. news period with Elmer Davis which it recaptured from advertisers last fall. It has closed for the Friday and Sunday periods with Gillette Bauer and it is understood that there is a similar deal in with General Foods. This would make four commercials on the CBS schedule with each five-minute obligation. Other two are Commercial Credit and Pepsi-Cola.

The Gillette contract calls for 21 stations, with this Friday (12) the starting date. Only remaining programs from which CBS originally recaptured this 8:55-9 time is "Strange As It Seems" (Palmdale-Calgate). Benben & Benben is the agency on P-C as well as part of General Foods.



Welcomes your Sales Message over WLW



Down through the years the Nation's Station has made many friends in Dayton. Consequently, Dayton wholesalers and retailers, like those in many another productive market in WLW's area, have a high regard for the selling power of WLW in their city. Your program on WLW is a mighty good way to insure their cooperation and support.

For the full story of Dayton and the many markets that make up WLW's sale area, write, wire or phone.

NAT'L REP. • TRANSAMERICAN BROADCASTING & TELEVISION CORP. • NEW YORK - CHICAGO

WLW

THE NATION'S

most "Merchandise-Able"

STATION

AL PEARCE GAVE
12 Min.
CAMELS
Friday, 1:30 p.m.
WABC-CBS, New York

Originating in Hollywood before a typical, over-the-hill, giggling Hollywood audience, the Al Pearce program for Camels seemed last Friday (3) to be getting dangerously separated from the community that has in the past marked Pearce from other funny shows. It seemed like an initiative of an initiative of Jack Benny's Jello show.

That, quite literally, the production staff may be hypnotized by Benny's C.A.B. seemed suggested by an early section of the script itself. Pearce opened with the strange question that they had no idea for the program (even in just such a thought is alarming at these prices) and then he led up to a sequence where it was suggested that they could hardly go wrong in cartooning Jack Benny and to that end instead of Benny's Maxwell, here was a screen for Pearce, and instead of Benny's pole was a pole for Pearce, and instead of a voice (Benny's) here was a personality (Pearce's) for the future.

No amount of post-humous can moderate the psychanalytic implication here. This was on the screen. The lack of an idea for the show is an exaggeration, but a transparent fact. The wish to share the success of Benny was an intensely selfish wish that the authors set out, it is admitted, to attempt to come as close as possible. They came about as close as Lou did to Perina.

This love-worship of Benny on the part of so many other comedians is not only unfortunate for radio but silly for the comedians. It's particularly regrettable that Pearce should seem to fall for the deceptive notion that success can be duplicated photographically. Pearce has created Elmer Fudd and been identified with other types of American humor that were unique to him and his shows and was thus his own standing. The more he gets away from what he had to start with the less he's likely to end up with.

Not is Al Pearce his best self when he drifts into gag like this: "He was too late to make breakfast so he put the coffee in his machine and drank hot water." Of course if the program is now intended as a comparison piece for "Benny" then maybe Camels will get the young audience heads down and there's no problem involved. Those remarks are based on the possibly naive impression that the program is intended for adults, some few of whom may be shown enough to know the difference between a man and a woman and a woman.

The program did have a smattering of legitimate comedy points and the music was reasonably lively and likeable, that going for Carl Hays' lush orchestrations and for Marie Green's fairly merely singing. Commercial may stream the word "water" and sell economy hard, but on price but on the over-the-hill-ness of the show's target.

"MEXICO"
Game
12 Min.—Regional
A. & P.
Wednesday, 1948
WJLS, Portland, Me.
(Para & Post)

A.P. show comes into a region where multiple outlets have been on the defensive against regulations and presents a patented game connection. Live on an out-of-the-way market, with gratitude in the form of free larger donations, smallish cash awards, and the promise of a brief career as a housewife, serving as a lure to bring you into the first-round lead market. Game, which has been mentioned by Carl, Inc. has been heard in the public west, but so with a recent reworking C.A.B. didn't consider it of sufficient safety for its managed stations.

Implication created by authors (evening in that show shows as a post-humous but game, also the suggestion that even the junior executives might find it dull if they didn't happen to have no hand the necessary necessary for participation.

You can't play "Mexico" (it's "MEXICO" on the show's front poster) unless you've mastered yourself with a mental housewife card. These are obtainable at the sponsor's outlets and on the premises of the three stations sponsoring the game. (Vander's Portland representative was shifted at by two outlets when he asked for cards without having any groceries. He was supplied, though.)

Card used by player contains 20 squares in rows of five; four squares in each row frame song titles, while remaining squares in blank. Orchestra plays from the listed titles and listener checks squares of each that he recognizes. When an entire row has thus been recognized, the contestant may use the blank space to write a title for week's special prize; the latter is played twice during the session. As the musical suggestions are as familiar as "Sweet Home" and "Carolina Moon," and as the scores (Vander's) suggest tip-offs broad enough to enlighten listeners who wouldn't know the National Anthem, it is perhaps to be assumed that this is little other than a time-killing contest and, as such, ineffective.

First prize winner, in addition to drawing \$100, also wins 50% of future royalties on title, which, according to the eye advertisement, will be immediately submitted for approval to New York publishers. (According to a CBS release, the included products will be filed with Broadcast Music, Inc., competitor of ASCAP. The tune used on first episode was by Charles R. Martin, WJLS house band leader and an employee of CBS. Future songs are to be turned out to the trade generally, it is stated.)

Comments (2) were rather windy, with announcer's narrative of a trip he made to a meat department of a mythical store harking back to the continuity style of 1935. Host's head came through as stiffly as an automaton, although the necessary slowness of words made for monotony. Ken Orenden's music made print less painful than it might have been.

GUN HARNESCHEN GUN
With Margaret Baum, Thomas L. Thomas, Fiddling Furlington
Music, Songs
12 Min.—Local
STAN BREWERT CO.
Thursday, 1:30 p.m.
WJLS, Detroit
(Zimmer-Keller)

With very strenuous concerning over sports programs like this, this particular "gun" maker decided it'd swing the production the other way and be different. Result was probably the most ambitious show ever attempted by a Detroit station, with not in-dedicated to run in neighborhood of \$1000 per week.

Sponsor brought Gun Harnesch, seventh member, and couple of vocalists, Margaret Baum and Thomas L. Thomas, who add Manhattan talent to an already bright local show. Running 30 minutes from Monday through Friday, like state, where program was shifted at last moment because of technical difficulties in Macintosh audiotape, drive had plenty to recommend it.

First of all, Gun Harnesch's debt to the show which brought out sentimental and pop melodies from a 20-minute string score in solo style, Miss Baum, who made her way with that in previous role of "Mascot," showed clear signs that did justice to three tunes. Thomas, winner of 1937 Melodious, contributed offerings of the better class. Entire show embodied a cleanliness not always found in locally-produced programs.

In play are the commercial blues, handled nicely by Fiddling Furlington. Devised up to fit the show's tempo and much shorter than the usual live session.

"HELLOPOPPY"
With Charles Mack
Five Min.
OLSEN & JOHNSON
W-F-P, 1:30 a.m.
WABC-CBS, New York
(Maline Thompson)

This five-minute morning advertisement for the Broadway stage revue, "Hellopoppy," at the Winter Garden, N. Y., presents Olsen and Johnson, the actors, in the new role of Olsen and Johnson, the sponsors. The program consists of songs to buy tickets and stress on the fact that "Hello" is one of the longest runners of all time. This latter fact keeps the entertainment content, which consists of excerpts from other musicals that also had long runs. "Hellopoppy" was repeated on last Friday's episode. It's a pleasant attention-caller, listenable and to the point.

Television Review

BENJAMIN DAVID KEYES
With Mrs. Dorothy Baffins, Pauline Albert, Lyndell Baynes, Gail Gail, John Lando, Beverly and Van Gress, and Vilas and Kevin
RCA-NBC, New York

This musical revue, guided by Benjamin David (credited with production, lyrics and dialog) and his wife, Florence Mullan, strung together literary and vaudeville tunes for one of the better jobs in this program. Begun with the explanation by different characters that the evening revue was a charity society affair, hence the lack of elaborate production usually associated with stage revues. Lyricist introduction by an Alan Hill singer brought in Dorothy Allen and Jeffrey McMahon, impersonator and burlesque from productions, for further explanation on what was to follow. Swung into dance after vocal duet.

Revue then jumped to garden party setting, but managed to hold up despite straightaway production of town. Scripting and work of Mrs. Dorothy Baffins as mistress of ceremonies was largely responsible. Thorough, consisting of Jules Lando, violinist from St. Regis hotel; Pauline Albert, radio pianist, and Lyndell Baynes, harpist-belladonna from the Ritz hotel, then were introduced individually, with applause.

Lon Bouvier and Eugene Van Gress, ballroom-dancers from the Ritz hotel, offered a straight number, then a burlesque ballroom. Their work as well as Gail Gail's (also Ritz hotel) bag of music tricks were deftly captured by the television camera, and a single magical shot being made by the limbo.

Timothy Vilas and his Kevin, another dance number, did "Down to My Last Yacht" vocal duet, then into a ballroom routine. Slow motion semi-acrobatic movements regarded very well on tele. Perla and Perla, Mexican singers, and Barla, South American exotica dancer, provided Latin-American atmosphere.

Al and Vincent, comedy musicians using a special whole guitar to make the sounds of various instruments: the Alan Hill Singers; John Robertson, harmonica wizard; and Cliff Crane, eccentric rule tapper, filled out much of the remainder of show.

Whole revues ran off quite smoothly.

FRANCIS CRAIG GUN
With Carl Bailey, Smokey Lyman, Edie Hall
Sunday, 12:30 a.m.
WJLS-NBC, New York
Francis Craig and his orchestra are a Nashville institution, long centered at the Hermitage, a social capital of the community. Via WJLS, Nashville, NBC picks Craig's "Sunday Night Serenade" up on a national look, seen for a brief time-out at 12:30 a.m. for last-minute press bulletins.

Craig has a smooth, competent and professional approach that doesn't blast at stars, ideal for late-hour listening post-midnight. He also has three good pop-song interpreters in Edie Hall, Carl Bailey and Smokey Lyman. They range from the sophisticated ballads to the novelties in their vocal highlights, but in the main Craig's music is in the dignified "society" vein, without being too stiff.

The orchestra has a nice lead trumpet and an sensitive sax section that impress. When playing mild swing-songs, as with "There in the River," it has evidence of judicious scoring and arrangement. Whole, a high-class affair.

OLIVIO SANTORI
Ray Tadler
12 Min.—Local
F. G. VOOT
Friday, 1:30 p.m.
WJLS, New York
(Clement)

"An acknowledged master of the dramatic art of peddling" is the descriptive phrase the program used in introducing the 12-year-old singer, who has a repertoire, apparently unimpaired, of 45 separate songs—most "em. With a piano (strong) and guitar for support, the 12-year-old singer is a dramatic, philosophical youngster which the program hopes will grow up to be like Billie Holiday. And, by the way, added the announcer, "his happens to be Will Rogers Memorial Week." Santori is an orphan of the Horn & Hardart kid show.

Most listeners could probably get along without the pre-adolescent sermons on good there, but the peddling is good peddling and the quarter hour moves along briskly in the path of simple, direct musical appeal. It's a suitable way to call attention to Philadelphia scrapie (junk, honey and spore in amalgamation) which is an old fare in the Quaker burg, but presumably rare outside. It comes to pass.

"SONGS OF CAROL LEIGHTON"
With Frances Kaye, Jimmy McChale
12 Min.—Regional
STERLING PRODUCTS
Daily, 12:45 a.m.
KABC, TCM, San Antonio
(Blackett-Simpson-Hamner)

From KFFE at Fort Worth, through the Texas State web, comes this program of songs and music plugging the effectiveness of California Songs of Faye and Jimmy of Texas. While other makers of luxurious new delivery messages through a 15 and one minute drama on the radio and after of their products, Sterling Products has a full sized program by live talent.

Miss Leighton has a nice vocal style, good range and seemingly picks the songs best suited for her. Organ background is provided by Frances Kaye, who also supplies the condition of "Faye's" Leighton.

Jimmy McChale handles the program and also plays the commercials, which aren't as easy to take as he says the product is. All are directed at the home, especially in the mouths of children as the product—California Songs of Faye and Jimmy of Texas—is a lucrative made especially for the children.

If a purge program is ever pleasant, this one may be an ideal.

(FACTS ABOUT BALTIMORE)

201 different industrial classifications keep BUSINESS STEADY IN BALTIMORE



Broad investors "spread the risk" through diversification. Highly diversified industry keeps business steady in Baltimore — never on top; never on the bottom; always better than average! According to SALES MANAGEMENT, Baltimore's index of buying power is 126 compared to a national index of 100.

Make your advertising investment in a growing market. The Baltimore "Red" radio station.

WFBR
BALTIMORE
National Representative
EDWARD PETER & COMPANY

ON THE NBC RED NETWORK

When you think of

NEW ORLEANS

you think of:

PALM TREES — PATIOS



and

WWL
NEW ORLEANS

50,000 WATTS

The greatest selling POWER in the South's greatest city
CBS AFFILIATE... NATIONAL REPRESENTATIVE... THE RAYE ADAMS, INC.

EMMERICH KALMAN
With Gita Alper, Felix Kalph
Music
of Wien.
Sustained
Monday, 8 p.m. KDFW
WAB-ABC, New York

Currently making his first visit to America, Emmerich Kalman, Hungarian composer, made his U.S. radio debut Sunday night (5), conducting the NBC concert orchestra in a program of his own compositions. Gita Alper, continental soprano and film soprano, also had her first radio date in the U. S. as soloist. (Robert Walcott accompanied.)

Full hour of music provided an agreeable dose. An composer of "Carmen" and "The Merry Widow" and numerous other operettas, Kalman is a name in music. However, the fact that his works could be played for a solid 40 minutes without growing tiresome indicated his achievement. While all the selections heard on the program were in the operetta style of sentimental romance, they reveal a surprising melodic talent.

Miss Alper has a rich, ripe voice, fairly flexible, with considerable range, particularly toward the upper registers. She has a warm, shining personality and, as judged by her ability to handle the English lyrics, sufficient command of the language. She and Kalman, who is familiar to U. S. radio, teamed splendidly on several duets. Kalman included the premiere performance of "Why Is It All a Dream?" Miss Alper did it as a solo. On first hearing, it's a solid, unimpeachable romantic piece, but repeats her much more for general consideration.

SAY MRS. MAYER
In New York
Co-operative
Radio, 5 p.m.
WNY, New York

Mrs. Mayer opened with a declaration that her speech attention was given to women's radio programs in New York. She avoided that herself but seemed to be making rather slow progress in developing new or substitute ideas. Basically, program consists of transcribed music and stories of local stores with a little comment by Mrs. Mayer on dressing, clothes, make-up, etc. Mrs. Mayer's longest session was a Friday afternoon fairy story for pre-schoolage children. This appeared to extend to hold onto of life.

Mrs. Mayer speaks with a cultured but not an animated voice. (Critic might be a little clearer. With experience, she and the "Mayer" will undoubtedly improve. There is a lot of room for betterment.

See.

80% Agreement

Simply as a point of courtesy some of the awards of the Institute of Education by Radio made last week at Ohio State in Columbus relate to program reviews by this publication as follows:

"Abrams - Liner" (Depend, first sponsored show ever honored by Institute)—Variety said Feb. 23, 1940 "Good enough to be repeated next year, and the year after."

"My Class Curley" (Norman Curley's whimsy for CBS)—Variety said March 12, 1940 "Delightful difference... a constant's worth off the usual beaten path... full of real wit and irony."

"Johnny Got His Gun" (Arch Under adaptation of Dalton Trumbo story, with James Cagney)—Variety said March 12, 1940 "Aptitude, narrative, heart-breaking, somewhat overbearing bit of delirium in monologue... not as much a good case against war... in a particularly unpleasant explanation of the horror of being buried alive."

"Town Meeting of the Air" (NBC-George Dorsey format)—Variety said Oct. 11, 1939 "There are Americans of all shades of intelligence and culture, some surrounded, some lighted but all freely expressing themselves and all running the risk of being hilariously razzed. In times like these the program is nothing short of delightful."

"Meet Mr. Weeks" (The editor of Atlantic Monthly, on NBC)—Variety said Feb. 23, 1940 "Wonderful with the maw left out."

IT HAPPENED TO ME
With Lynn Fisher, Betty Johnson, Paul Talbot, Lee Swales
True Life Series
In Wien.
Sustained
Friday, 8 p.m.
WNY, New York

Spins up as instant filler for a local program. Each weekly script is supposed to tell a true-life experience, with the author who submits his life episode appearing at end of act. (Gift membership goes to the submitter.)

Yarn at hand involves an ad

KENTUCKY DERRY OWEN
With Ted Haring, Bryan Field
In Wien.
Sustained
Friday, 8 p.m.
WNY, New York

Annual first choice of Churchill Downs, Louisville, had the lead in taking over though all but a few lucky guys thought the race would be a walkover for the undefeated Bluebird. Those who didn't turn the dial registered regret that they weren't at on the onset of Gallahue's progress the rich prize.

Broadcast was made from a show-stopped booth, first time for a sports event. Suspense is in line with point variety made a year or so ago, when the booth during a championship fight made it difficult for listeners to hear what went on. Idea was that the announcer in saying heavy stuff for the air rights was at least entitled to clarity of the broadcast.

It didn't work out that way at the Derby. Bryan Field, the N. Y. Times race specialist, gave the running account of the race, while Cliff Ted Haring handled provide and aftermath. They talked in such other, conversations of the best in the booth and that somebody forget to turn a chair or fan.

Towards the end of the contest, as the winner crossed through on the rail, Field was so hoarse that his conversation was inaudible and it would seem that while the commentators had no interference from crowd noise, there is no assurance that they can hear the excitement of such events from affecting their chords.

Haring was clear enough. He said that Gallahue went to the post at 25 to 1, whereas the winner said 25 to 1. That is understandable because the actual time of betting is not recorded at 25 to 1 as at most other tracks. Ceremonies after the race were described, but one of the functionaries was cut short to attend the race-bleed commercial session on the air before the time limit.

Amazing sidelight of the broadcast was that the winner was tipped. Mark Hollinger in Hollywood sent a telegram to Bill Cullen, the N. Y. Journal-American sports columnist in care of Haring, saying him to bet on Gallahue. Cullen nor those who heard the message could attribute to Hollinger, fearing he was revokably touched by the California sun.

Agency account exec who neglected his work to run about with a glimmer of when it's apparent that his sweetheart in the office really was the one for him. Happy conclusion was jerkily worked out. Script had its share of insipid lines.

Wear.

Follow-Up Comment

Margaret Calhoun, director of women's activities for NBC, spoke briefly and effectively, at great length, a half-hour session, over the blue, marking Golden Jubilee of General Federation of Women's Clubs. In presenting Miss Calhoun, prize was first given NBC for "its generosity in setting aside a weekly service" for Federation-sponsored program. Mentioned that Miss Calhoun's influence was felt through not only at publisher.

Gene Yarns and Graham Baker, the Hollywood writing team and professional cut-ups, quipped on the Kraft program last week with Bing Crosby. As usual on this series, there was no attempt at a formal appearance in a sketch or interview. Mixed retrospectives tossed a few days back and forth with Crosby and Bob Hope, and then did more of the same with Annabella when she joined the quartet. It wasn't exactly punchy, but wasn't bad either. Gene Yarns played Lind's "Lithium" and a comical Gershwin piece in such fashion, then he also contributed a couple of laugh lines.

Betty Hopper, on CBS from Hollywood, asked listeners for their reaction to proposed casting of Kate Smith as "Tugboat Annie." Miss Hopper also advanced a reason for alleged indifference to her: reaction to Eddie Cantor's recent personal appearance at the Broadway Capital, in contrast to last season's record-breaking run. "The south of a political routine," Miss Hopper said the incident occurred as the reason. She added that Will Rogers was about the only one in show business who could get away with political jokes before theatre audiences.

Miss Hopper's breath control is much improved over that she displayed on several broadcasts earlier in the year. However, she is talking with a rapidity that rivals, if it does not exceed, male chatterers. Despite her excellent voice, such a tempo becomes a bit hard on the ears, and in view of a three-weekly broadcasting schedule might be slackened.

"Gale Walker's Daydream" over NBC red (WEAF) Tuesday nights is now piling on the bids in its comedy plot. Material adapted from outlines submitted by listeners (for which they get \$25 each plus a pipe and supply of the sponsor's Walter Raleigh tobacco) seems broad enough to satisfy hinterland

listeners, but is kinda tired for even semi-sophisticated tastes. Tom Wallace ("Gale Walker") has an effectively direct style. When caught (Jill Virginia Verrill sang "With Open Arms" with vitality).

Bob Hope, Judy Garland and Jerry Colonna are now frankly clowning through their Tuesday night series for Fox-Debut. On last week's (20) shows they distinctly avoided the obvious laugh-getting trick of breaking up. Certain amount of that sort of thing is funny, but even a visual audience rightly expects performers carrying it to an extreme. Miss Garland partially redeemed herself on the chapter taught by her potentially-promising singing of "Fanny Vender."

"Young Dr. Malone," General Foods daytime for Post Bros. Radio, has been moved from NBC blue to CBS. Last Thursday's (11) episode was typical heart-throb hour in which the hearted heroine told the little role sweeties how her mother's marriage had lapsed up her marriage. Narrative lapsed in and out of English, with the weeping lady and hearted cross getting in enough time to frag down the AFRA minimum. Without based on the emotional values, but Nancy Coleman's painting portrait of the woman who redressed the part. Alan Bruce as the doc and Richard Coogan as the spouse were routine, but Isabel Brown made the whole no-in-law vivacity livelier.

World Peaceways concludes an intelligent, well-run symposium, called a forum on WJZZ, N. Y. Under the chairmanship of J. Max Weil, two editors of the forthcoming FM and another and worked out the links in the outlook for Italian and Russian participation in that European affair. It's a Saturday night.

Columbia Workshop presented a light comedy Sunday night (5), "The Mount Captain," by Kenneth Edwards and Howard Breslin. It was a deftly handled, amusing yarn about how a thought Revolutionary war veteran defied the conventional ideas of a small town New England church. Writing, production and direction were skilled and Charles Paul's arrangement of colonial hymns provided subtle background. Earl McCall directed. Engrish and Breslin were given terrific bulging in the billing.



The greatest primary
coverage of any sta-
tion in the far West.

For more information about KNX, one of the stations CBS MAN with stations, inquire of Radio Sales: New York, Chicago, Miami, St. Louis, Charlotte, N.C., San Francisco

COLUMBIA'S WORKSHOP IN THE WEST

Define Qualifications of Government's Radio Press Agents Under Civil Service

Washington, May 7. Announcement of Civil Service examinations for radio information specialists—including a try-out for the posts of principal information specialists—was made last week by the United States Civil Service Commission. Marking the first time that radio posts of this nature and importance have been announced by the Commission, applications for the jobs must be on file with the Government agency by May 8. A three-day period of grace will be given, however, to applicants living in the small states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming.

In all cases applicants will be required to have completed a four-year college education at a college or university of recognized standing, except where experience in news-writing, information service work, college or university extension service training or competition with radio broadcasting in Federal or State department or agencies can be substituted for year for the college requirements.

Principal information specialists for the various Government agencies—who will receive an annual salary of \$3,600—will have to demonstrate the following qualifications:

1. Capacity to accept and fulfill responsibility.
2. Ability to originate and carry through programs, policies and projects.
3. Address and appearance.
4. Resourcefulness, tact, and ability to secure cooperation and to cooperate with others.
5. Variety of successful human contact with persons of varying interests, convictions, occupations, viewpoints and social, economic and geographic backgrounds.

A minimum of five years of broad, progressively responsible experience of an exceedingly high order in radio broadcasting, embracing management and production of radio programs, is necessary, plus numerous other qualifications.

The other Government radio posts assigned by the Civil Service Commission are: Senior information specialist, \$4,800 a year; information specialist, \$3,600 a year; associate information specialist, \$2,400 a year, and assistant information specialist, \$2,100 a year.

Experience required for the posts mentioned above ranges from four years to one year of work in radio broadcasting and includes "possession of a suitable voice." Age limit for all ratings is 35 years, except in cases granted military preference, veteran preference, etc. The Government Department of Defense is requesting certification of eligibility that the legal right to specify the sex desired, according to the announcement.

Additional details and forms required for application may be obtained from the secretary of the Board of United States Civil Service Examiners at any first-class post-office, it was added.

Vernon Cox, formerly with the national advertising department of the Register and Tribune, Des Moines, has been added to the promotion department of KSO-KENT.

KWK, KMOX Seek To Clear 14 Night Baseballers

St. Louis, May 7. Efforts are being made by KWK (Blue) and KMOX (CBS) to clear network commitments in order that they may broadcast the 14 night baseball games to be played by the Cardinals and Browns here. Robert T. Convey, president of KWK, said the Federal Broadcasting Co., which is handling all baseball over his station, is anxious to furnish the local fans with the play-by-play of the national contests, but whether the station can switch programs that would interfere with the baseball broadcasts remains to be worked out.

Merle Jones, gen. mgr. of KMOX, where Sammy Vance and Wheeler Spence handle, said the same situation exists there. KMOX is set to air all the night games for Hyde Park here.

LENOX LOHR'S MONTREAL TALK

Montreal, May 7. Advisability of maintaining complete neutrality on the air waves in the United States during the current war abroad was emphasized by Lenox Lohr, president of the National Broadcasting Co., here last Wednesday (1) for the 13th anniversary celebration of Canadian Marconi station CFCF. Characterizing radio primarily as a "system of mass communication" Lohr claimed radio as a public service responsible to listeners for the observance of impartiality upon all controversial subjects.

Speaking of radio in relation to the press Lohr said that when freedom of radio is destroyed that of the press must soon follow. He pointed to the totalitarian states as a case history showing how important a role radio played in the regimentation of nations.

Discussing radio propaganda methods adopted by the belligerents in the current war, and referring especially to the Lord Haw-Haw broadcasts from Germany in which the British government is ridiculed and maligned, Lohr maintained that talk of that kind must fall on deaf ears in England just as similar propaganda from England would have virtually no effect in German listeners.

Only value Lohr could see in broadcast propaganda from the warring nations was in effect it might have on neutral countries.

Lohr referred to the friendly relations between the major news-gathering organizations and the BBC, pointed out that about one-third of the radio stations in the U. S. are owned by publishers, and indicated that ever-increasing cooperation between newspapers and radio was in line with feeling that radio has not interfered with newspaper circulation. Lohr stated that radio could never become a news agency. News broadcasting must necessarily be limited to radio and communication because of the nature of radio. Full news reports and commentaries remain in the publishing domain for the most part.

Later in the day, following press meeting, Lohr put in brief appearance at station CFCF cocktail party at the Mount Royal Hotel to meet heavy turnout of agency men and business execs. Among those present were Harold Reid, of J. J. Gibson; Campbell Stuart, of Cockfield-Brown; A. McKay of McKim Advertising Agency; Norman Dower; F. Miln, of Lord & Thomas; Walter Thibault and Joe MacDougall of J. Walter Thompson; A. Ocker, R. C. A.; Harold Carver and Guy Herbert, of All-Canada Radio Facilities; M. Maxwell, Associated Broadcasting; Don Mamon, CBC executive; R. M. Murphy, general manager, and M. M. Elliott, sales manager of Canadian Marconi.

Carry Brunslett, general manager of BCB-RCK, Portland, Ore., recently appointed chairman of Portland Advertising Federation, presided.

Blanchard McKee, Local, B.R.'d by Hummert Accts.

San Antonio, May 7. Another program made its debut over the Texas State Network, this time in the person of Blanche McKee, Old Hair Shampoo and Contests through Blanche-McKee-Hummert. Program title is "Blanche" and presents the poetry and philosophy of Blanchard McKee who has been on the air through TSN stations since the web organized in 1938.

Program is to be heard Monday through Friday.

FOUR FILE FOR SCHENECTADY

Schenectady, N. Y., May 7. The fourth company chartered within the past seven months for the purpose of conducting a prospective broadcasting station in Schenectady is Capital Broadcasting Co., Inc. Harold E. Blodgett, local attorney, filed the papers. Company has a capital stock of 1,000 shares, no par value.

Directors, each holding one share, are: Bettina F. Trumbull, Elizabeth V. Linn, and Marion G. Fitzgerald.

Last fall, M. L. Cramer, district distributor for Tydal (which sponsors a three-weekly program on WGT), and two other local business men incorporated the Van Carter Broadcasting Co. Later, George R. Nelson, Winston P. Leighton (Leighton & Nelson agency) and the president of Morris Plan Industrial Bank of Schenectady, were among those chartering Western Gateway Broadcasting Corp. to operate a local station here. Next, a company, in which Harold E. Smith, of WOKO-WABY, Albany, is a director, was incorporated for same purpose.

Industry Hears—And Hopes—FCC Soon to Greenlight Commercial Television; Wave Squabbling On

Washington, May 7. Final action within a month—both television and frequency allocation policies—probably will be being given the green light for full commercialization, but an alternative formula being adopted for some time—is expected in industry circles. Hope that the two important problems can be disposed of within that time was voiced Saturday (1) by FCC Chairman James L. Fly.

Prospects of a bitter struggle over television (channel No. 1) may delay the decision about the place each of these adjuncts of standard broadcasting will occupy, while there is some chance the Commission may try to reach some of the government's own frequencies for commercial use. Considerable talk has been heard lately that the many irregularities have been lagged for the military and naval services, aviation, etc., and an argument is inevitable that some of these channels should be opened up for private use.

Two matters are closely related now that F-M advocates have come in with plans for a solid string of frequencies, making particularly for the \$4,000-\$5,000 to berth which is the most desired video channel. In keeping with the thought that television will wind up ultimately in the higher brackets, the arguments of the Armstrong system based on the comparatively greater public benefit if this portion of the spectrum is speeded up for the so-called stationers sound broadcasting. Some members of the Commission seemed greatly impressed by such arguments, particularly those made over the

air. Corporation of America's move to rely on the limited commercialization rule was suggested.

There has been little indication from the majority side about the matter of permitting tele operators to begin selling time. This proposition was mentioned in the recent hearing, where all emphasis was on the technical phase and the possible freeing of standards. That the Commission will sidestep the matter of standards again is generally anticipated, but it has been suggested the rules will be changed to permit full commercialization at an early date.

This would be in keeping with the plan taken by President Roosevelt, although two of three members were to feel that money-making might be so delayed indefinitely in view of disagreement between engineers over the system which is most likely to win public approval. Country agreed, however, in that neither system can be tested completely until its arguments have a chance to help define the road of regular service. Chairman Fly told the Senate Interstate Commerce Committee last month he regards semi-commercialization as a "quack animal," although he still is convinced the time has arrived to remove the handicap.

ENGEL'S WYOMING COURSES

Laramie, Wyo., May 7. H. A. Engel of station WHA, owned by the University of Wyoming at Madison, comes here this summer to conduct three different radio courses at the University of Wyoming. Will stress educational aspects of broadcasting.



either way Mutual costs less

Whether you want to use rifle or shotgun in your radio hunt, Mutual gets you a bigger broadcasting bag. If you want the whole feathered flock—coast to coast—Mutual can help you put sales salt on the tails of 225 of the leading 300 markets in the U. S., at only \$1,675 per 1/4 hour daytime broadcast—scaling down by 13-week cycles to \$1,183 on a 52-week basis. If you want just a few choice birds here and there, Mutual delivers those markets at minimum cost. Where else such happy hunting?

MUTUAL BROADCASTING SYSTEM



RADIO BOXOFFICE REPORTS

Baltimore

(WBAL, WCAI, WCHM, WFBH)

Week Ending	Network	Local	National	Total
May 4	5,640	3,230	3,360	12,230
April 27	5,435	3,002	3,273	11,710
% change	+3.6%	+7.4%	+2.8%	+4.5%

There was a national spot hit offset drop in network and local units last week. Extra-heavy buying of time over weekend for Senatorial primary coming to climax Mon. (4) will bolster coming week's figures.

WFBH, which has the running of the classic *Franklin's* at Potters sewed up, will lead that race to NBC Red Sat. (11) under sponsorship of American Oil Co., via Joseph Katz Company. Oil company has also contracted for full three-hour *Radio Party* preceding the event, which will be hosted by NBC by Gene McCarthy. This program will be played in Maryland Coverage Network, which has outlets in Hagerstown, Frederick, Cumberland, and Washington. Bar-trail coverage also includes more special programs during week preceding famous race to be played out nationally.

Also set by WFBH is Buck Rogers Treasure Chest, half hour pot work for Populists, via Blom. Joining Pot of Gold after previously declining to participate in primary election. (Maying of gag for Dept. of Justice influenced final decision to go along.)

Chicago

(WBBM, WENR, WGN, WUAB, WJJD, WLS, WMAQ)

Week Ending	Network	Local	National	Total
May 4	8,385	4,220	18,100	30,705
April 27	8,615	4,210	18,115	30,940
% change	-2.7%	-0.4%	-0.05%	-0.8%

Little change in the general business group following time switch, with most of the scheduling going through some rearrangement, but little business added or subtracted.

Cincinnati

(WCPO, WNCN, WLW, WSAI)

Week Ending	Network	Local	National	Total
May 4	4,885	2,380	5,721	13,026
April 27	4,375	2,100	5,779	12,254
% change	+11.6%	+13.3%	-0.9%	+6.3%

Setting in with time change, the seasonal decline is general in not only as sharp as a year ago, but continues to show. Croley mounting department legs current his close is 18 percent ahead of this period in 1939 for WSAI, and around 16 percent better for WLW. Both are NBC affiliates. Indie Scripps-Hoyers WCPO also is healthier commercially than a year ago. WNCN, which switched from CBS to Mutual a few months back, is registering a steady climb.

WSAI last week added *Gardner's* Maxwells, via Northwest Advertising agency, Seattle, Wash., for its five-minute transcription program; William Blythe Co., starring *Franklin's*, five one-minute participation spots in women's news, through Mahlon B. Sherman agency, local; *Franklin's* show Co., special 15-minute program, remounted from its new downtown store, with Dick Gray, sportscaster, greeting players of the Red Sox and visitors; Alton & Duple, department store, three five-minute spots weekly on spring sales; Blane Furrier, four spot announcements weekly; Cals Bros. Cloth, 14 announcements on their May 3-4 Coney engagement.

WNCN's new hit *John Henry* show (evenings), four spot announcements weekly; William Blythe Co., through Sherman agency, five spot announcements on women's hour; Edwin F. Foster, Inc. (health show), five one-minute announcements on women's hour, through Sherman & McKee agency; Margaret's jewelry sales, three one-minute spots weekly.

Denver

(KFEL, KLE, KOA, KVOI)

Week Ending	Network	Local	National	Total
May 4	1,770	1,580	1,540	4,890
April 27	1,534	1,520	1,580	4,634
% change	+15.3%	+1.3%	-3.8%	+5.7%

Travel Breeding Co. buys 13 half-hours over KLE, one a week; Lumbard's Cigarettes, 26 spots, and Philip H. Park, Inc., one spot daily except Sunday for two months.

KFEL, new business for the week was resulted in announcements, with Luby Motor Co., through Ted Levy agency, taking chain break following news, daily, 12 weeks; Perkins-Spencer Public Co., through Featherberg agency, 24 chain breaks preceding news; Mayer Hardware Co., participating announcements three days a week following *Gardner's* Brewery; and 18 announcements each week to those: Health Creamery, Lantz Laundry, Olet & Olet Gro., Et-vol-on Beauty Salon, Capital Tire & Rubber Co., Denver Tangle, Pratt Stables, and Metropolitan Pontiac, Inc.

Faustian Starck Co., through Perry-Hardy Co., 200 announcements over KOA, to be used in six months, and 54 announcements were added to All-Year Club of Southern California, through Lord & Thomas, in run four weeks.

Des Moines

(KJRT, KNCI, WOI)

Week Ending	Network	Local	National	Total
May 4	1,260	1,120	1,825	4,205
April 27	1,250	1,140	1,800	4,190
% change	+0.8%	-1.7%	+1.4%	+0.3%

After a successful 13-week test, *Meet Ma Brown*, 15-minute variety-quiz show, has been reserved for Thursday Floor for KJRT-WOI-WHAX.

Good Ice Cream Co. signed for a summer series of *This Is Magic* on KNCI. Ice cream will be given as prizes.

HOW UNITS ARE FIGURED

Dollar volume is omitted from these reports. So, too, are the breakdowns of individual stations. Grouped market figures only are given. One minute of commercial time is figured as one unit. That a sponsored spot is 60 units, a half hour 30 units, and so on. Chatterboxes, time signals, spot announcements in participation programs are counted as one unit each.

Detroit

(WJLB, WJMR, WJR, WJME, WJL, WJVL)

Week Ending	Network	Local	National	Total
May 4	5,745	11,710	4,680	22,135
April 27	5,225	11,680	4,773	21,678
% change	+9.9%	-0.3%	-1.9%	+2.1%

Continued shuffling off in local hit is offset by notable gain in network and spot categories, putting grand total back on the right side of the ledger. Local hit is looking up, as indicated in the following additions signed by local outlets for next week:

WJLB got *Taste Bread* on dotted line for 12 weeks, three nights weekly, 15 minutes each with Joe Cantile and gang highlighting *Doklad's* Grocery, *World's Worst Radio Program*. It's a daily script show, similar to gang's early morning show, and hits come at 6:30 p.m. Monday, Wednesday and Friday.

WJVL's new half-hour musical show for *Starb* Best, which is importing Gus Harnish and two vocalists to perform before 30-piece string band, hits come Thursday nights from Mamie Temple Scottish Rite auditorium. Set by Elmer-Keller, Detroit.

Buck Rogers returns to WJL for *Populists* for 12 weeks. Runs 30 minutes once a week and set by Blom agency.

Hartford

(WDRS, WHTT, WTR)

Week Ending	Network	Local	National	Total
May 4	8,525	2,280	1,230	12,035
April 27	8,750	2,220	1,204	12,174
% change	-2.6%	+2.7%	+2.2%	-1.1%

Fluctuations of the week were slight with one or two exceptions. Trend, if any, was slackening of both local and national spot hit, possibly forestalling the coming summer light season.

Principal change was at WTR, which began a contract with American Home Products showing this station up in national spot hit, a department in which the station strongly registered until the advent of baseball two weeks ago and this new contract. AMP line placed through Blackett-Sample-Hummett is that originally used for Transcontinental web, now being placed both on disk and on locally built shows. WTR is carrying three quarter-hour platters weekly by Elliott Remondelli and is building on hour and a half of local programs weekly for the season.

Los Angeles

(KECA, KFI, KFVB, KIM, KMPC, KNX)

Week Ending	Network	Local	National	Total
May 4	11,541	11,212	1,814	24,567
April 27	10,880	10,915	1,783	23,578
% change	+6.1%	+0.3%	+1.8%	+4.3%

Good hit took a long stride forward in all departments, showing a total gain of better than 5%. However increase was in network units, the others picking up modestly. New entries on KNE sales sheet included United Drug, four quarter-hour transcriptions of *Parade of Stars*, placed by Spot Broadcasting, Inc.; seven 100-word announcements for California Spray Chemical, through Long Advertising Service; 12 quarter-hour programs, *Calvin's Fun Quiz*, for California Island, through Holman-Snyder; 12 participations in *Flower Willy* Comedians for C. H. Baker show, through Sidney Garfield; 13 participations in *Wiley* program for May Co., through Milton Weinberg; 78 participations in *Wiley* program for Sparklers, through Simon-Parkering; 28 five-minute announcements for State Clothing, through Bach, Reynolds & Associates.

KECA picked up 20 quarter-hour broadcasts of *Opal Scarborough's Garden* for Aggeler & Moore Seed Co., through Julian Bond & Associates; 115 quarter-hour announcements for Brooks Clothing, through Shadel Adv. Co.; 28 quarter-hour transcriptions of *Turner* for Bitts Ice Cream, through Robert Smith agency; six five-minute live talent programs for Blue Ribbon books, through Northwest Radio Adv. Co.; eight quarter-hour spots for *Forest Lawn Memorial Park*, through Dan B. Moon.

KFVB added 12 quarter-hour programs for James B. Hunt; five participations in T. Sheddard bridge auction for P. B. Davis, through Allied Adv. agency; 12 five-minute programs for So. Cal. Florida Air, through Folger Features; five participations in Sheddard bridge program for Coast Federal Savings & Loan, through Robert Dennis. KMPC took on *Fulmer's* *Play* for 14 spots, one-hour variety show, *Shawway to Stardom*, for 15 weeks for Beking Van & Storage; 100 spots for *Hollywood Building & Loan* quarter-hour musical program, five times a week for Dr. Brumtham. KFI's new hit includes Norman Brookings' *Health* show, three times a week for one year, through Audin & Spitzer; half-hour *Buck Rogers* and *Populists*, 15 times, for Joe-Love Corp., through Blom agency; five-time weekly reading, *Daily News* limited for one year.

New York City

(WHR, WJCA, WJEW, WJL, WJZZ)

Week Ending	Network	Local	National	Total
May 4	750	8,835	13,082	22,667
April 27	750	8,515	12,880	22,145
% change	0	+3.7%	+1.6%	+2.3%

* No change.
New hit on EMAC includes San Antonio Music Co., using record *Music For Fun* and Lark's Arts Supply Co., with two *Harvard Fix-It* quarter-hour weekly.

KABC is taking two new Texas State Network programs, the Union-weekly Elliott Remondelli *America Leads Ahead* quarter-hour for Dr. Lester Tooth Powder, and *Neighbor* for Mulford Cement Oil Shampoo. Blackett-Sample-Hummett placed, both programs. Station also signed Remondelli Monumental Works for quarter-hours of *Stanley Vain* and *poetry*.

WJZZ added Lipton's Tea, through Young & Rubicam, 8 half-hour weekly, 13 weeks. International Harvester, announcements; Black Flag and Fly-Dad, through Blackett-Sample-Hummett, announcements; Calista-Palmolive-Peet (Vell), through Sherman & Marquette, *Women of Contagion* transcriptions; Schile Beer, through Geyer, Cornell & Newell, announcements, and from NBC, AT&T's *Telephone Hour*, and *Against the Storm* for PAG (Liquor). WJZZ's political schedule includes Jerry Butler, Harry Hines and Otto Colburn, each with a half-hour weekly on the Texas Quality Network.

WJZZ's new hit includes Auto Racing Review, through David Vinickler agency, one quarter-hour weekly; Stanback, through Erwin-Waay, station breaks; Shadert Theatre, through Blaine-Thompson, announcements; United Drug Co., through Street & Finney, three quarter-hours weekly, 12 weeks; Suffolk County Federal Savings & Loan Ass'n, direct, three five-minute periods weekly; American Cigarette & Cigar Co. (Full Mail), through Young & Rubicam, 27 announcements weekly; Blackett-Sample-Hummett using 100 announcements weekly for seven American Home products.

WJZZ added Full Mail cigarettes, through Young & Rubicam, with eight announcements daily.

WJZZ added, Inc. direct, announcements, five-minute news, and 10-minute recorded programs; King David Memorial Park, through Austin & Spitzer, four quarter-hour announcements weekly for 12 weeks; Stanback Co., through Erwin-Waay, 15 announcements weekly, 13 weeks; Federal Savings Bank, through Klingner agency, participation in *Make Believe Ballroom*; Lane Cola Bottling Co., through Williams agency, 48 announcements; Peter Paul, through Platte-Fortis, participation announcements; Greenway Bakeries, through Campbell-Mintum, 13-week renewal of announcements; Shadert Theatre, through Blaine-Thompson, announcements.

WJZZ added, B. L. Watkins (Dr. Lester's Tooth Powder), through Blackett-Sample-Hummett, three Elliott Remondelli quarter-hour transcriptions weekly, 13 weeks; Stanback Co., through Erwin-Waay, 12 announcements weekly; Shadert Theatre, through Blaine-Thompson, announcements; Alexander Elmann & Co., direct, 18 announcements; Modern Industrial Savings Bank, through Metropolitan, quarter-hour transcriptions *Calvin's Fun Quiz*; Deyaga City Radio, through Moser & Collins, 20 announcements weekly, 12 weeks; James Elliott Organization (books), through Klingner, 12 quarter-hours; American Cigarette & Cigar (Full Mail), through Young & Rubicam, 228 announcements; Gardner Hardware, through Northwest Radio Adv., 14 five-minute transcriptions.

Salt Lake City

(KJVL, KRL, KUTA)

Week Ending	Network	Local	National	Total
May 4	6,810	2,280	880	9,970
April 27	6,380	2,240	840	9,460
% change	+6.6%	+1.8%	+6.0%	+5.4%

Gains in local and network hit offset a slight drop in national spot and lifted the total units to a slight gain.

Joe Love Corp. (*Populists*), through the Blom Co., using *Buck Rogers* half-hours on KJVL.

KRL added International Harvester with announcements; California Parking Co., through McCann Erickson, one-minute, KRL, All Year Club, through Lord & Thomas, announcements; Porter-Walton Co., E. C. M. I. Dept. Store, American Dept. Store, and Utah Theatre all using daytime announcements.

San Antonio

(KABC, EMAC, KONO, KTLA, WOAI)

Week Ending	Network	Local	National	Total
May 4	1,820	7,620	2,424	11,864
April 27	1,824	7,320	2,325	11,469
% change	+0.2%	+4.1%	+4.3%	+3.5%

San Francisco

(KPBC, KOL, KJBB, KPO, KPFO)

Week Ending	Network	Local	National	Total
May 4	8,140	2,280	1,814	12,234
April 27	8,280	2,240	1,871	12,391
% change	-1.7%	+1.8%	-3.0%	-1.3%

John E. Rapp Co., national music distributor, through Allied Advertising, is sponsoring 15-minute Saturday newscast on KPO.

Longshore United Bakeries (Holman Wheat-O-Best), through Lane Livingston, five 10-second announcements; and Swift & Co., through Stark-Globe, 18 one-minute E. T. 10 include new KPFO business.

Seattle

(KIRO, KOL, KJBB, KKA)

Week Ending	Network	Local	National	Total
May 4	4,520	6,820	721	12,061
April 27	4,320	6,480	729	11,529
% change	+4.6%	+5.1%	+1.1%	+4.6%

* No change.

DISCS' AIR BIAS CLIPS MBS

GEORGE MARLO HIRED BY BMI

George Marlo has resigned as professional manager of Crawford-McCormack Corp. to become general professional manager of Broadcast Music, Inc. He steps into his new job May 15. His contract with BMI is for three years at a salary of \$300 a week plus \$110 expenses. He had been getting \$200 a week and \$110 expenses on the old stand.

Marlo, who is president of the union, was a publisher on his own for years. Before going with Crawford he was for three years professional manager of BMI, one of the catalogs in the Warner Bros. group.

Broadcast Music, which was founded by the National Association of Broadcasters as part of its program in dealing with ASCAP for a new contract, will most likely establish professional staffs also in Chicago and Hollywood in a couple months. By bringing in the head of the pluggers' union, BMI, according to the music trade's view, will be easing the opposition that might be encountered from band leaders who are no-AFL affiliates.

Joe Rines Operating Evergreens in Jersey, 750-Capacity Honfery

Joe Rines is doing a Frank Bailey act has taken over the Evergreen, restaurant at Bloomfield, N. J., which is will operate with some bands a la Bailey's Meadowbrook, also in Jersey. With his partner, Frank Wilcox, local restaurateur, Rines plans next Tuesday (14) with The Alexander and a thumbea music, later not yet picked. Changes every two to four weeks.

Spot will have two wires, WOB and probably NBC, relying on an extensive radio hookup for business and band pull.

Capacity of 500 at this spot, heretofore only with dancing on week-ends, has been increased to 750, under Rines-Wilcox, and will be topped to 1,300 by Oct. 1. Rines sometime is not totally giving up his evenings, still doing recordings and interpretations. His last important stand was at the Hotel St. Regis, N. Y., where he was for two years.

MIKE TODD'S BANDS

Green and Louis Set-Semi-Name Idea—4 Wires

Opening bands at Michael Todd's Dancing Casino, at the New York World's Fair, were not completely set up to yesterday (Tuesday), with Todd still looking for a name for the first weekend (11-13). Two of the three bands already signed are Johnny Green's and Clyde Lunn.

Todd has dropped his plans to play some as a full-week deal. Instead, he'll see 'em for only two or three days during the season, playing three mid-week bands in between. Three bands, anyhow, will always be playing the spot. It will have CBS and WNEW wires.

Deal for Ben Bernie to play the Casino for the entire summer as a during band still through last week.

Earl Freshman's Company

Syracuse, May 1. Broadcast Publishing Co., headed by Earl I. Freshman, who for 22 years represented the American Society of Authors, Composers and Publishers here, has been formed.

Bill Davidson, who writes under the name of Jay Millon, will be general manager. Other officers include Benjamin Kline, vice-pres.; Nathan I. Stone, secretary; and Richard Aronson, treasurer.

'Catch My 3:43 Show'

Gene Krupa will pull a new gag this week (Thursday) at the Paramount Theatre, New York, when he invites music and newspapermen to a special unveiling of an arrangement of a tune he's been working on for almost two years. The number's called 'American Blues,' an original, on which he's collaborated with six different arrangers.

Krupa will wire invitations to various people in the trade to catch the number at a regular stage show at the Pat, where his band's working. It'll be inserted into the show in place of one of the numbers his band is now doing.

RCA Unit Named Co-Defendant In Suit vs. Miller

New York Justice Aaron J. Levy on Friday (1) granted an application of Glenn Miller to add the RCA Mfg. Co. as a defendant in Eli E. Chertsevich's breach of contract suit against the bandleader.

Action claims breach of contract entered into Feb. 12, 1939, whereby Miller agreed to make 40 records for Chertsevich, and not to record for anyone else in that period. The contract was breached, the complaint alleges, when Miller refused to make the records, and in April, 1939, signed with RCA and has since been recording for it. An injunction, amounting to profits and damages is sought. The suit is almost identical with a previous action by Chertsevich against Artie Shaw.

Testimony Doubt May Release Musician In Jail on Murder Rap

Cleveland, May 1. John Kozinski, Cleveland musician now serving a life term in Ohio pen for murder, was made eligible for parole shortly as result of friends' campaign which influenced Governor John W. Bricker to cut his sentence to manslaughter. Accordion player known professionally as Fred Guss was convicted two years ago in one of the most novel, circumstantial cases ever held here.

Jury found him guilty of killing, 17 years ago, a bank guard who was shot in a grocery-store stick-up. Although musician maintained he was playing in New York in 1924 on that date, a cousin and two witnesses had the case reopened in 1932 and testified against him.

Recent investigation that raised doubt of witnesses' reliability was one reason why governor gave him a break that may bring a parole. Another factor was Kozinski's good behavior in prison, where he composed six songs, which attracted attention to his case when several were published and played here.

BYRNE TOOTER HURT IN GOLF BALL CONKING

Jack Yelverton, of Bidley Byrne band, was conked by a ball out of bounds while watching other golfers tee off at a club in Salem, Mass., last Tuesday (28) and is in Salem Hospital, recovering from a brain concussion. Band was there to play a one-nighter at the North Shore Gardens.

After being hit, the clarinetist collapsed, recovered and appeared okay, but passed out again 15 minutes later. He was rushed into town in the band's bus then transported to the hospital by ambulance. One arm was temporarily paralyzed by the blow. He'll be okay in time for the club's scheduled opening at the Glen Island Casino, Westchester, N. Y., May 13. It's the one group's most important date. Victim was formerly with Glenn Miller.

WEB TUNE RECAP OMIT HURTS WOR

Charles Barnet Case Highlights Situation Created by Orchestras Dependence Upon Good Will of Recording Companies and How Latter's Ideas, Often Prejudiced, Prevail

BIZ SNOBS

By BEN BOREC

How the photograph record companies and the music publishers can, because of biased attitudes, discourage name bands from doing up with Mutual network for their remote programs was clearly illustrated last week when Charlie Barnet refused to accept a Mutual release that had been obtained for him by Mrs. Maria Kramer, operator of the Lincoln hotel. Mrs. Kramer had been feuding with NBC over that network's taking on her getting personal mention during the remote broadcasts.

After Mrs. Kramer had bought a line for a month from WOB (Mutual), Barnet demurred, going so far as offering to settle his contract with the hotel operator. Barnet explained that he personally had nothing against a Mutual hookup but that he was concerned with the effect that the fact of an NBC or CBS wire would have on his relations with his recording group, Victor-Bluebird, and music publishers, who between them determine which bands shall get the breaks on new songs.

It's a circle that most band leaders have found it tough to break. The recording companies and the publishers alike feel that a band's pulling power at the disc counters is largely influenced by the explanation they have had over the networks, and regardless of the growth of Mutual these two controlling elements hold to a prepossession which they acquired years ago. The bias, say the publishers themselves, has been accentuated by the circumstances that WOB's performances are not included in the repackagings of the most played songs on the air. Also that since ad agency producers pick their tunes from such lists, the publishers have no choice but to look to the remote use which will result most on their repackagings.

Revised Situation Control, which music publishers are now able to exercise over their choice of bands, when it comes to recording, is something which in itself amazes the old line music men. Years ago, or before the remoteness of photograph records, the publisher was without any bargaining instrument in dealing with top young band leaders. The latter could do a lot for publishers but there was little that publishers could do that would make their layers ought after by bandmen. Now the situation is quite the reverse. A band's success on photograph records depends on a large measure on the material it gets. The supply of good new songs is almost limited, and with so many bands now turning out records the competition among them for first crack is intense. Whereas a publisher formerly had to plead with top-rating band leaders to introduce a number, the latter's greedy now pleads with the publisher for that privilege, and keeping them all satisfied has become the publisher's No. 1 headache.

Roemer Back to CRA

Milton Roemer, formerly associated with Consolidated Radio Artists, returned to that organization last week in the band department. He'll handle business dates.

He was with CRA more than two years ago and had stepped out of the business entirely after leaving.

Nickel-in-Slot Machines in Public Parks Draw Musicians' Protest

Armstrong Drops 6 Men

Louis Armstrong orchestra dropped about half its men following the band's leaving out of the Cotton club, New York, since show last week. Andy Kirk replaced Armstrong there Friday (1). Of the six men Armstrong served with two weeks' notice none have been definitely replaced.

Louis Russell, piano; Lee Blair, Bucky Madison and Charles Holmes, sax; Bernard Flood, trumpet; and Pop Fisher, string bass, were the men given notice.

Kaye % Deal Clicks 7,790 In Auburndale

Totem Pole Ballroom, Auburndale, Mass., estimated itself last Friday and Saturday (3-4) and as result gold Sammy Kaye much more salary than the band would ordinarily have taken out. Kaye cracked the spot's 11 year record for attendance for the two days, drawing 7,790 admissions. Auburndale is just outside of Boston.

Ballroom is said never to have booked a band before under a guarantee and percentage arrangement, always on a flat price. There was some doubt about Kaye's drawing power so he was bought on a percentage deal. He walked out with almost double what the figure would have been on a straight guarantee.

New Yorker Shuts Men; Ice Show Too Intricate For Substitute Bands

New Yorker Hotel, New York, is discontinuing its Sunday night guest band policy for its Terrace Room, at least for the summer. Sunday night replacements for the day off of the regular band on duty at the room gave many of the new artists formed in the last year an opportunity to work in big league surroundings. From Larry Clinton's debut tomorrow (Thursday) night on, the day off for the band will be Monday and the room will be closed entirely.

It's because of the ice show that the hotel uses during the hot months. Layout is deemed too intricate and demanding monthly for a band to rehearse to play for it for only one night.

BIRMINGHAM BIZ

Louisville, First of New Index. Brava 2,500 Musicians

Birmingham, May 1. Playing to a record all-over house, Jimmy Luncheon and band ground a seat \$2,200 at the municipal auditorium here Monday (28). Luncheon closed to approximately 2,000.

Marcel Brett, vocal promoter, had Luncheon as first of parade of names held on Summer schedule. Ella Fitzgerald and the Chick Webb band are slated for June 8 and Erskine Hawkins for July 4 for all-night sessions.

Mathews, Bower, another local band leader, had played Earl Hines for May 21 date and expects others. Negotiations are under way to bring Sammy Kaye band here for the tenth annual National Air Carnival dance on June 1. Walker Hall, Union has option on this event.

Milwaukee, May 1.

Dancing to music from juke boxes in the county parks must be stopped, it was voted. This is the unanimous decision delivered to the Milwaukee county park commission by Volmer T. Dahlstrom, president of the Milwaukee Musicians' association, local No. 8, AFM (AFL). Intention was plainly made that the winstonians have ample leverage to enforce their anti-juke power of nearly 2,000 members and their families, some affiliations and the extensive park system program which is one of the biggest features of the county recreational projects.

Some of the parks have been using phonographs for dancing instead of live music, according to Dahlstrom's declaration to the commission.

"We don't allow that in public halls," he said, "and it would be unfair for us to permit the parks to use banned music. We insist there be no more banned music."

Commissioners said the machines are used in park recreation rooms by young persons who drop nickels in them for a dance or two, and that the county couldn't afford to live everywhere every time a few kids wanted to indulge in a little juke-bugging.

Definite action was deferred until a later meeting.

LEARNING TO TAKE IT EASY?

Name band leaders, who vacation from the press of balancing every chance they get, aside from entering juries, are taking time off in chunks this year. Guy Lombardo wraps work between May 18 closing at the Strand Theatre, New York, and May 23 opening at the N. Y. World's Fair; Horace Heidt takes time out June 9 to 20; Chant June 10 for two weeks starting June 1.

Tommy Dorsey finished a one-night tour at the U. of Georgia, Atlanta, Saturday (1) and vacations until he opens on the Hotel Astor (N.Y.) Road May 21.

TO EXAMINE CBS EXEC'S IN ZUGSMITH'S SUIT

Examination before trial of the president and secretary of Columbia Artists, Inc., in connection with Albert Zugsmith's \$125,000 breach of contract suit, has been ordered by May 17 in N. Y.

Zugsmith, based in 1932 as head of the orchestra division of CBS, claims a three-year verbal contract for 1933 giving him \$5,000 profit and 15% of the increase in business in his department. He said he received the \$5,000 until 1935, but was never paid the increase. He estimates the increase in 1933 at \$20,000, 1934 at \$20,000, 1935 at \$1,000,000, or a total of \$250,000 due him in commissions.

Lastly he seeks \$200 as salary due from December through December, 1935.

U.S. Record Corp's Suit Over 'Defective' Albums

The U. S. Record Corp. filed suit Wednesday (1) in N. Y. supreme court against Jarmik Enterprises, Inc., against business as the Universal Importing Co., seeking damages of \$2,175 for the alleged sale in the plaintiff of defective photograph albums.

U. S. Record Corp. claims that between September, 1935, and February, 1936, it received 11,000 albums from the defendant at 25c each, for which it paid \$2,175. The albums were defective and yielded in the 1936.

On the Upbeat

Columbia and Vocalion Records getting two hours a day on CBS owned WCRB, shortwave. Solid audience, 10 a. m. to noon daily is as told by John Reed King and most good listeners. It's heard at South America.

Johnny Dorsey plays a National Record Convention at the Adler Hotel, New York, May 18, and Edith Durham does a similar date for a Gruen's audience at the Waldorf Hotel, N.Y., May 18.

Gene Krupa held over a fourth week at the Paramount Theatre, New York.

Paul Chilly arranges back from Caracas, Venezuela.

Harvey Maltz resigned to Columbia Records for another year.

Billy Newman opens Billie Holiday hotel roof, Boston, for two weeks, May 14. Emil Coleman set to follow.

Calvin Hawkins' band set for one week at Fiesta Americana, New York, May 11.

At Ravenna night set for the summer at Publi Blue Ribbon Gardens at New York World's Fair.

Art Farry joined vocalists with Gray Gordon at Hotel Edison, N.Y., last week.

Billie Holiday replaced Jack Benny as road manager of the Count Basie band. Kearney shifted to Joe Savitt.

Savitt Engel back to the Waldorf-Astoria Hotel, N.Y., May 14.

Gordon Sledge, a local band, into new Columbia Hotel, San Francisco, May 24.

Duke Ellington to do a 225 record set to BBC work of June 7. May do it from the stage of the Apollo Theatre.

Bob Burke rejoins his band at the Raynor Ballroom, Boston, next week. He had been out with arthritis.

Law Saloman, outfit set for Ben Haden's Rivera, Fort Lee, N.J., opening May 22.

Columbia Records by the name are included among the material to be sent into Oglethorpe University's "Crypt of Civilization." Thirty at-

lumes of various staff and pop platens by Raymond Scott and Benny Goodman were included. It won't be opened till the year 2113.

Shirley Cheshak, trumpeter with Gene Krupa, is to be replaced by Rudy Wreck from Max Baer's outfit.

Jack Jones again rehearsing a new group.

Lang Thompson band gets the summer stretch at Jenkins's Pavilion, Point Pleasant, N.J., starting June 21.

King's Jesters stay through October at Onondaga, Syracuse, N.Y., 1940. Open May 28.

Van Alexander down for eight weeks, opening May 18, at new Evening, Mansfield, N.J., one-band unit.

Ralph Mantle, Jimmy Dorsey set man to have his own band.

Whiskey Fabul, from sea, from Johnny McCoy to Woody Herman, currently at Meadowbrook, Cedar Grove, N.J. He replaced Sammy Arnotta.

Gene Archibald opened Jackson Beach Pavilion, Portland, Ore., May 4.

Gene Gray Case Lane with to Fort Whiting, Baltimore, Md., May 28.

Bob Chester orchestra starts its first local date in the New York area May 12 when it opens hotel at the Elms House. Continuous single dates until June opening.

Ted Weems opens resort season in ballroom at Cedar Point, near Sandusky, O., June 8.

Lang Thompson goes to Jenkins's, Pt. Pleasant, N.J., for the summer after winning up at William Penn Hotel's Chatterbox, Pittsburgh, June 1.

June Gardner and her Gentlemen of Swing went into New Penn, Pittsburgh, Monday (1) for return engagement, succeeding Johnny Wiles crew.

Three bands into Hotel Roosevelt Lounge, Pittsburgh, for run Monday (1), replacing others, later out after six-month stay. Picked by Joe Hill for CRA.

Joe Yonick plays Duquesne University's annual Junior Prom in Pittsburgh May 17.

Mike Riley ("Music Done Round and Round") and his orchestra open this weekend in the Balala Room of the New Elmsmore Hotel, Albany. Succeeded the Ray Hutton's band.

Jack Weckler's orchestra is playing at The Edgewood, East Greenbush, N.Y., for what is advertised as the first time in the east. Patricia Newman, who sings on Ben Bernie's CBS program, is writer, with Johnny Smith and Johnny McAlister also

British Best Sellers

(Week ending April 12, 1940)

"Over the Rainbow".....Dorsey
"Day to Love".....Maurice
"It Can't Be True".....Wright
"Misty".....Harris
"Who's Taking Home".....Dorsey
"Moonlight Avenue".....Dorsey
"Good Brown".....Lamotte
"Squidward".....Cavendish
"Lovely Day".....Chappell
"The End, Babe".....Comptons

drawing killing. Movie, earlier in winter, moved to NBC late show titled "Do, Jax and the Headline Circle."

Oliver Taylor, who disbanded his orchestra several months ago to enter business in Birmingham, has had a change of heart, reorganizing the band for summer work.

Joseph Luchinska's staff orchestra from WFBR, Baltimore, is playing on stations over NBC net.

Paul Rogers, male, is with Chet Suggs' act at Club Continental, Hotel Jefferson, St. Louis.

Ray de Maris replaced Jerry Gilbert in the Windsor House of the Thomas Jefferson Hotel, Birmingham for summer.

Joe Franke and his WEP, Philadelphia, band will take a five week tour of shows from the states this summer to make a tour of the Atlantic coast resorts.

Alie Nell's to play the Summit Springs Hotel, Poland, Mo., for 1940 consecutive summer.

35th Season Opens

Lynch, N.Y., May 1.
Capitol Beach, R. H. Ferguson's amusement park here, lights (18) for the 35th season, with Henry House started for the following day (18) as a stage magnet.

Harry Sorenson is manager with Ralph Beecher, at No. 1 assistant.

Harry Sorenson in N. Y.

Harry Sorenson has arrived in N. Y. to take up his duties as a music official at Decca records and to look for a radio connection. Fritz Miller got his Broadway show in Hollywood which he wanted.

Sorenson also has gotten a release from MCA with whom he has been at odds for some time. MCA on other occasions talked him out of the walk.

PINKY TOMLIN OPENS PARK

Kansas City, May 1.

Pinky Tomlin and orchestra draw the assignment of opening Fairchild Park ballroom for the summer, May 5. Admission sale at 50c per person indicated an attendance of 1,800 for the Sunday night dance.

Policy of the ballroom, as in previous years, will offer a resident or local band nightly, with stage names as they are available.

Johnny Burke and James V. Monaco doing the songs for Paramount's "Ghost Music."

David Small composing the score for "Gold Rush Melody" at Metro.

Inside Stuff—Music

King Country's latest production, "If I Had My Way" (12), opened at the N.Y. Elveth Saturday (4) without advance publicity on the score. The film had originally been set for a June or July release and the publisher of the score, Bessie-Jay-Bell, Inc., made itself in the unusual position of starting to work on a musical's exploitation after the picture is actually showing. At it looks now "My Way" will be on its general first and second release dates before the radio plugging of the score's tunes will be fully under way. The record companies won't have their versions of the "My Way" numbers on the market before the end of next week. Because of the suddenly quick release, Jack Kapp had to rush west two weeks ago to supervise Decca's pressings of Country's recordings.

Police of Peoria, Ill., are still hunting for the Negro who recently requested himself as Duke Ellington's manager and got away with passing a fraudulent check. Guy presented himself at a Peoria hotel and made arrangements for storage space for five cars supposed to belong to Ellington's band, presented a check in payment and walked off with cash change as the check was for more than the storage charge.

He's also supposed to have approached a bus line to charter a jollop to cart the band to Oklahoma but gave up and returned after being refused a \$5 loan.

Samuel Jesse Russell declared last week that he had not been retained by Brennan, Vance & Co. as counsel in connection with the publishing firm's suit against the treatment it has received from the availability committee of the American Society of Composers, Authors and Publishers. Russell added that his relations with ASCAP was such that he would be willing to jeopardize them, such as engaging in litigation against the Society.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated gross charge business being done by some bands in various New York hotels, shown listed for only where the band is the main attraction for supper. Dinner business (7-11 P.M.) not rated. Figures after house of hotel give gross receipts and cover charge. Larger amount designated weekend and holiday price.)

Band	Hotel	Weeks Played	Gross Per Week	Total Gross
Al Donsbach	New Yorker (400; Th-\$1.50)	5	925	4,625
Johnny Dorsey	Pennsylvania (300; Th-\$1.50)	4	1,375	5,500
Edith Durham	Plaza (300; Th-\$1.50)	4	775	3,100
Slippy Hall	Billmore (300; Th-\$1.50)	11	500	5,500
Frankie Masters	Bowling (300; Th-\$1.50)	12	425	5,100
Leslie Melville	Lexington (300; Th-\$1.50)	10	1,375	13,750
Charlie Barnett	Lincoln (325; Th-\$1.50)	8	975	7,800
Orville Tucker	Waldorf (Empire) 400; Th-\$1.50	8	800	6,400

Network Plugs, 8 A.M. to 1 A.M.

Following is a tabulation of the estimated plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (April 29-May 5). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Specials, inserts, live song, 1 stage musicals, all others are plug. Parenthetical numeral after the title indicates how many weeks the song has shown up in these ratings.

TITLE	PUBLISHER	GRAND TOTAL
Ray (1)	Parsons	51
When You Wish Upon a Star (18)	Berlin	44
Woodpecker Song (18)	Berlin	41
Apple Blossoms and Chapel Bells (10)	Berlin	31
Singing Hills (17)	Berlin	31
Tom Sawyer (18)	Parsons	31
With the Wind and the Rain in Your Hair (12)	Parsons	31
Imagination (1)	ABC	30
Let There Be Love (7)	Shapiro	30
Little Curly Hair (12)	Parsons	30
You, You Darling (18)	Parsons	30
My! My! (18)	Parsons	30
Shake Down the Stars (18)	BVC	30
I've Got My Eyes on You (12)	Crawford	30
So Far, So Good (1)	Miller	30
How High the Moon (12)	Chappell	30
Make Believe Island (12)	Miller	30
Travels Junction (12)	Lewis	30
Where Do I Go from You? (12)	Harvey	30
Hey! Hey! (18)	Parsons	30
My Heart's Making Eyes at Me (12)	Miller	30
My Fun Days (12)	Witmark	30
It's a Wonderful World (12)	Robbins	30
Pinkie Dots and Mellowness (12)	ABC	30
Angel in Disguise (18)	Witmark	30
On the Eve of May (12)	Parsons	30
Pyramids (18)	Parsons	30
Alone Blue Gown (7)	Parsons	30
From Another World (18)	Chappell	30
Danny Boy (12)	American	30
Cause of Dreams (18)	Parsons	30
Good Evening (12)	Parsons	30
Where We'll Be (12)	Parsons	30
Breeze and I (12)	Parsons	30
Charming Little Fellow (12)	BVC	30
Cracking Old Mill on the Creek (12)	BVC	30
Down by the Old Mill (12)	Parsons	30
I Can't Love You Any More (12)	Olman	30
I Concentrate on You (12)	Crawford	30
A Lover's Lullaby (12)	Jewel	30
Al's Violets (12)	Broadway	30
Between 18th and 19th on Chestnut St. (12)	Leeds	30
Dead I Do (12)	Lincoln	30
You're My Heart Alone (12)	Harvey	30
Believing (12)	Spier	30
My Wonderful One Let's Dance (12)	Parsons	30
Like My Song, Violets (12)	Crawford	30
One Cigarette for Two (12)	Ayer	30
Secrets in the Moonlight (12)	Robbins	30
Smoke Rings (12)	American	30

Band Reviews

VAL HELMAN ORCHESTRA (18)

La Martiniere, N. Y.
Val Helman has been in and out of class spots, such as the Rainbow Room, N. Y., and just back from a winter at Palm Beach. He's currently engaged to La Martiniere, succeeding Pasticco.

Helman has a series of eight, moving three weeks, one hour only, and a strong rhythm quartet, trumpet, bass, piano and traps, which more than makes up for the seeming shortcoming of the brass. In a tale like the Martiniere it's a strong combo for the straight dance, and enough to fill the room, and persuasively rhythmic for the straight line. Paolo Carbone does the alternate mastering for the radio-thunder staff.

Helman is a permanent master, conducting chiefly, and also doing the m.m. index.

HAL BAUNDERS ORCH (18)

Hotel St. Regis, N. Y.
Hal Baunders has a brisk dance team of 18 men, not too heavy but dance-compelling, in the standard "swirl" style, a requisite for a swish spot like the Hotel St. Regis. Baunders' band, himself a violinist-conductor, there's one other fiddle, but there of the four reeds double violin and the other goes with the smoother sections. Basic setup is piano, drums, bass, two violins, four reeds and only one trumpet with the guitarist, steel and stand; also doubling on the horns in some sets.

Baunders is relatively new although he's been around in small class rooms like Blue Park, N. Y., and also in the pit of Two for the Show, Broadway legit musical. For straight danceability he does it up briskly; also must play a rather difficult show show around. In the Vermont walks with a requisite here. Baunders acclimated when his combo became five violins and heavy on the windbrinds.

OLSEN-JOHNSON ANNI CELEBRATION ON DISKS

Recent radio show celebrating the anniversary of the Olsen and Johnson show, "Hilltopping," will be done in essence on wax and issued commercially on Ed Querstein's 20 Variety label late this month. Comedy pair will be aided, as they were on the air, by the Four Belles, harmonizing quartet, and a band under the name of Spud Murphy.

Group will make four sides, first double-sided platter to be released May 23 and the second May 26. Two will include a mention of "Hilltopping" on the platter labels.

How About This



GUITARISTS
World's largest stock of GUITARS, VIOLINS and GUITARISTS for the 12-14-16-18-20-22-24-26-28-30-32-34-36-38-40-42-44-46-48-50-52-54-56-58-60-62-64-66-68-70-72-74-76-78-80-82-84-86-88-90-92-94-96-98-100-102-104-106-108-110-112-114-116-118-120-122-124-126-128-130-132-134-136-138-140-142-144-146-148-150-152-154-156-158-160-162-164-166-168-170-172-174-176-178-180-182-184-186-188-190-192-194-196-198-200-202-204-206-208-210-212-214-216-218-220-222-224-226-228-230-232-234-236-238-240-242-244-246-248-250-252-254-256-258-260-262-264-266-268-270-272-274-276-278-280-282-284-286-288-290-292-294-296-298-300-302-304-306-308-310-312-314-316-318-320-322-324-326-328-330-332-334-336-338-340-342-344-346-348-350-352-354-356-358-360-362-364-366-368-370-372-374-376-378-380-382-384-386-388-390-392-394-396-398-400-402-404-406-408-410-412-414-416-418-420-422-424-426-428-430-432-434-436-438-440-442-444-446-448-450-452-454-456-458-460-462-464-466-468-470-472-474-476-478-480-482-484-486-488-490-492-494-496-498-500-502-504-506-508-510-512-514-516-518-520-522-524-526-528-530-532-534-536-538-540-542-544-546-548-550-552-554-556-558-560-562-564-566-568-570-572-574-576-578-580-582-584-586-588-590-592-594-596-598-600-602-604-606-608-610-612-614-616-618-620-622-624-626-628-630-632-634-636-638-640-642-644-646-648-650-652-654-656-658-660-662-664-666-668-670-672-674-676-678-680-682-684-686-688-690-692-694-696-698-700-702-704-706-708-710-712-714-716-718-720-722-724-726-728-730-732-734-736-738-740-742-744-746-748-750-752-754-756-758-760-762-764-766-768-770-772-774-776-778-780-782-784-786-788-790-792-794-796-798-800-802-804-806-808-810-812-814-816-818-820-822-824-826-828-830-832-834-836-838-840-842-844-846-848-850-852-854-856-858-860-862-864-866-868-870-872-874-876-878-880-882-884-886-888-890-892-894-896-898-900-902-904-906-908-910-912-914-916-918-920-922-924-926-928-930-932-934-936-938-940-942-944-946-948-950-952-954-956-958-960-962-964-966-968-970-972-974-976-978-980-982-984-986-988-990-992-994-996-998-1000-1002-1004-1006-1008-1010-1012-1014-1016-1018-1020-1022-1024-1026-1028-1030-1032-1034-1036-1038-1040-1042-1044-1046-1048-1050-1052-1054-1056-1058-1060-1062-1064-1066-1068-1070-1072-1074-1076-1078-1080-1082-1084-1086-1088-1090-1092-1094-1096-1098-1100-1102-1104-1106-1108-1110-1112-1114-1116-1118-1120-1122-1124-1126-1128-1130-1132-1134-1136-1138-1140-1142-1144-1146-1148-1150-1152-1154-1156-1158-1160-1162-1164-1166-1168-1170-1172-1174-1176-1178-1180-1182-1184-1186-1188-1190-1192-1194-1196-1198-1200-1202-1204-1206-1208-1210-1212-1214-1216-1218-1220-1222-1224-1226-1228-1230-1232-1234-1236-1238-1240-1242-1244-1246-1248-1250-1252-1254-1256-1258-1260-1262-1264-1266-1268-1270-1272-1274-1276-1278-1280-1282-1284-1286-1288-1290-1292-1294-1296-1298-1300-1302-1304-1306-1308-1310-1312-1314-1316-1318-1320-1322-1324-1326-1328-1330-1332-1334-1336-1338-1340-1342-1344-1346-1348-1350-1352-1354-1356-1358-1360-1362-1364-1366-1368-1370-1372-1374-1376-1378-1380-1382-1384-1386-1388-1390-1392-1394-1396-1398-1400-1402-1404-1406-1408-1410-1412-1414-1416-1418-1420-1422-1424-1426-1428-1430-1432-1434-1436-1438-1440-1442-1444-1446-1448-1450-1452-1454-1456-1458-1460-1462-1464-1466-1468-1470-1472-1474-1476-1478-1480-1482-1484-1486-1488-1490-1492-1494-1496-1498-1500-1502-1504-1506-1508-1510-1512-1514-1516-1518-1520-1522-1524-1526-1528-1530-1532-1534-1536-1538-1540-1542-1544-1546-1548-1550-1552-1554-1556-1558-1560-1562-1564-1566-1568-1570-1572-1574-1576-1578-1580-1582-1584-1586-1588-1590-1592-1594-1596-1598-1600-1602-1604-1606-1608-1610-1612-1614-1616-1618-1620-1622-1624-1626-1628-1630-1632-1634-1636-1638-1640-1642-1644-1646-1648-1650-1652-1654-1656-1658-1660-1662-1664-1666-1668-1670-1672-1674-1676-1678-1680-1682-1684-1686-1688-1690-1692-1694-1696-1698-1700-1702-1704-1706-1708-1710-1712-1714-1716-1718-1720-1722-1724-1726-1728-1730-1732-1734-1736-1738-1740-1742-1744-1746-1748-1750-1752-1754-1756-1758-1760-1762-1764-1766-1768-1770-1772-1774-1776-1778-1780-1782-1784-1786-1788-1790-1792-1794-1796-1798-1800-1802-1804-1806-1808-1810-1812-1814-1816-1818-1820-1822-1824-1826-1828-1830-1832-1834-1836-1838-1840-1842-1844-1846-1848-1850-1852-1854-1856-1858-1860-1862-1864-1866-1868-1870-1872-1874-1876-1878-1880-1882-1884-1886-1888-1890-1892-1894-1896-1898-1900-1902-1904-1906-1908-1910-1912-1914-1916-1918-1920-1922-1924-1926-1928-1930-1932-1934-1936-1938-1940-1942-1944-1946-1948-1950-1952-1954-1956-1958-1960-1962-1964-1966-1968-1970-1972-1974-1976-1978-1980-1982-1984-1986-1988-1990-1992-1994-1996-1998-2000-2002-2004-200

COLLEGE RHYTHM

The sixth of a series of articles on collegiate likes and dislikes as regards dance music and dance bands.

The writers, staff members of publications at their respective schools, have been asked by VARIETY to give the opinion of the student body as a whole rather than give personal judgment. Neither has VARIETY given further instructions as to what was to be said or how. Their articles appear as the undergraduates have written them, with the expressed opinion being their own.

VARIETY publishes the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college crowd has to say about dance music is deemed important in the trade. This is a continuation of a series originated by VARIETY in 1935.

MISSOURI

By Phil Desserer, '39
(Editor, Missouri Dancer)

Columbia, Mo., May 7.

Even that master manipulator of them all, old Confucius himself, would have to do a lot of triple-tonguing to find a phrase for all the musical tastes on the University of Missouri campus. The venerable Chinese sage might well end up with some such linguistic gem as, 'Confucius say—come as Old Man River.'

For Missouri's likes and dislikes in the world of sweet and raring just isn't eating very well. Some like it hot; some like it cold; some like it at room temperature. But one thing is certain—they all like it.

You don't have to go to a palm-reader or a crystal ball for proof, either; 1939 was the University's centennial year academically, and in celebration thereof undergraduates everywhere have unworried a musical millennium.

Already more topnotch bands have been brought to the campus this year than in any other season in Old Missouri's history—and that goes all the way back to 1820 A. D.

See Bernie—right, whistlers and all—come first, at an all-school Student Government Association dance. Then the 'Ags' played the band field and came up with Herbie Kay—in arrears—for their annual Barn-burner celebration.

E. G. A.'s next 'yesh' found a bromide on the end of the line, attached to Tommy Dorsey & Co. And a few weeks later Pan-Hel made it a family affair by importing Brother Jimmy.

Came the first signs of spring, and the Engineers fell in line with Joe Sauters, the GI Leftsander, and at present on top for the annual 'M' Men's and Military Ball (April 12 and 13) is Juvenile 'Dionysus' Davis. If that list isn't imposing enough, just add the Savitar Ball later in the spring, with one of the country's top bands promised by the boys to the boys.

Perhaps there are sophisticated whose hearts refuse to beat any faster at the mention of these names. But even a bookish agent—who, sorry to say, has no heart at all—must break down and admit such bands mean at least a step in the right direction. Dorsey, Bernie, Dorsey, et al should raise M. U. out of the Little Red Suburbanism ruts, if they do nothing else.

For it wasn't so long ago that the Missouri campus, as a 'one-nighter' spot for bands, was considered colder than a Sunday night supper. An engagement in Columbia, Mo., was looked upon as a sort of unfortunate accident that happened to an orchestra somewhere between St. Louis and Kansas City. It was something like a fat fly or a hotel bill.

The Old Mantra Started Something

The appearance of Mr. Bernie and his cigar, however, changed all that. For when the Old Mantra left town his pockets were bulging with what should be known to the trade as 'percentage potatoes.' That the grapevine passed this glad word around is indicated by the success with which other bands were persuaded to set up their shacks in Ruthwell Gymnasium.

The coming of Tommy Dorsey to the campus was no accident. The trumpeting Semimonthly Gentlemen ranks one-two in the list of all-around musical favorites with the boys and girls who yell for the Black and Gold at football games. Along with Glenn Miller, T. Dorsey may well be awarded the platinum pitch pipe for being Fair-Hearted Guy at Old Missouri. In fact, if there is any noticeable trend at all in musical preference at Missouri, it leans toward the rhythmic swing patterns of Miller and Dorsey. Campus band leaders are following it, and say they notice a pronounced favoritism for so-called stylized swing, as contrasted to the sub-and-out 'whirlwinders' of the Cab Calloway variety.

But that Missouri has gone 'Lambada.' For from it has the jitterbug become extinct. Indeed, he hasn't even died yet! But all the taught evidence points to an era of, let us say, 'subdued swing.'

Evidently 'A' in defense of this contention counts of record sales among students. According to Dealers, Miller and T. Dorsey recordings roll in and out of stock so fast they hardly have time to get their record with-instruments. About the time the Semimonthly Gentlemen came to town even his old recordings of 'Marie' and 'Song of India' returned to high favor, via the 'yellow' trade.

But these two bands have no monopoly on popularity. Larry Clinton, Jan Savitt and the old Artie Shaw crew all have great numbers of avid followers. Benny Goodman is on the rise again, say his devotees. Charlie Barnett ranks high with those who like their swinging solid. And for listening pleasure, the boys who ride the pitchfork in the slot will hang around all afternoon for Ray Kyser, Sammy Kaye, Bob Crosby or Jimmy Dorsey. Many other bands find supporters bunched in front of tired radios or curled up in 'jelly-joint' booths at almost any hour of the day or night. Among these, promiscuously, are Eddy Duchin, Dick Jurgens, Harry James, Horace Heidt and Orrin Tucker.

All this merely points out that almost every musical taste is represented in some degree. Anybody who wants to start a long-up-free-for-all verbal, if not better, can find no better way than to list that some of the 'sweet' bands ought to go back to the cornfield, or that a recorded jam session sounds like a bunch of six-year-olds playing 'war' with mommy's kitchen.

Gluey and Bonito

But to top, a few architects seem to have missed the handwagon. Hal Kemp, Blue Baron, George Hall, Guy Lombardo, Red Norvo and a few others are listed only limited followers. But the trends of favor come and go as the tides, and in segregation unknown or unloved today may ride the crest of a single recording tomorrow and hit the jackpot of popularity almost overnight. For example: Orrin Tucker's 'Was Bonnie Baker' (Incidentally, record dealers say the local one-only usually and 'Oh, Johnny'). Incidentally, record dealers say the local one-only usually and 'Oh, Johnny'. Incidentally, record dealers say the local one-only usually and 'Oh, Johnny'.

Along with Ginny Simms, Little Bonnie backs the claim to vocal popularity. Among the masculine garglers Jack Leonard and Eddie Howard stand high, with Bing Crosby still in there pitching. Anything by the Andrews Sisters doesn't need a press agent, and the Joan King Sisters are listed up-and-coming.

As to individual numbers, 'Tuxedo Junction' is out in front by a nose and a couple of exclamation points. 'In the Mood' and 'Caroline' have been best-sellers for weeks. 'The Hucklebuck' and 'The Life of May' as well as others for weeks. 'The Hucklebuck' and 'The Life of May' as well as others for weeks. 'The Hucklebuck' and 'The Life of May' as well as others for weeks.

And at Stephens College

When somebody decides some day to take a poll on the world's most popular inventory, it will be an easy matter to pick out where the votes from Stephens College for Women, also in Columbia, Mo., will fall. Stephens girls—some 1,000 are enrolled—are less of two great favorites:

1. The fellow who invented the wicket. 2. The fellow who invented the sled that exactly fits a nickel and has a musical recording on the other end.

For these two fellows have brought more a happy hour to crawling shoulders and tipping toes that go wherever Stephens girls go. In a

FRITZ ROTHSCHILD'S TOUR

World Personality Show Men Also Can 'Go In' With Muggles

In conjunction with local distributors, Columbia Records will finance a concert tour of its new Add-a-Part record series this summer. With consent of Fritz Rothchild, concert violinist-creator of the glissandi and an album of the records. They're the platters on which music for a quartet is cut, one part being left out purposely. The missing piece is handed in sheet music form to the buyer of the record who then plays his own instrument along with the star completing the quartet. It's a training series, the idea being that buyers of the records are thereby able to 'fill in' with musicians of top caliber.

Tour is for demonstration purposes and starts at Central Hall, Hartford, May 14. It'll be riffs and stay out on the road several months. One of the numbers Rothchild will use is Black's 'Double Violin Concerto.' He played second violin when the record was made, leaving out the first fiddle. That he'll play on the stage, accompanying himself.

SALESGIRL'S TUNE TO BE PUBLISHED

Helen Bliss, former Cleveland girl now working as salesgirl in a New York department store, has written her first published song, 'The Moon Won't Talk,' which was released last week by Regent Music. Charles Harnisch collaborated on the melody, but she wrote the lyrics on her own. Jimmy Sims' orchestra (Ray Kyser) has recorded it for Vocalion, for release next Wednesday (15). And Benny Goodman has recorded it for Columbia. Kyser will intro it on the air Friday (16).

Girl came to New York several months ago after meeting Goodman while he was playing an engagement in Cleveland. He made a recording of her 'I've Been There Before,' but it wasn't released because the lyrics weren't satisfactory. She's written several other numbers, two of which, 'The Good for the Bad-Police' and 'Good in My Shoes,' are being considered by Shella Harpeth. She'll stick behind the sales counter for the present.

Form Loeb-Lissauer

John Jacob Loeb and Robert Lissauer make the latest songwriting combination to go into the publishing business on their own.

From came is Loeb-Lissauer, Inc. Office is in N. Y.

ward, the girls at Stephens like their music. They like to listen to it; they like to behave 'naked' to it; they like to dance to it.

Perhaps that explains partially why their school has entertained in the last season or two such bands as Blue Baron, Ben Pollack, Tony D'Amato and Bob Burke; why, on April 28 and 29 Larry Clinton and his boys will do the honors at the annual Junior Prom; and why, three weeks later, Dick Jurgens and his band will play for the Senior Farewell Dance.

As a final clincher for this point, it may be related that when the seniors voted a few weeks ago as to whether to have an 'ordinary' band for their Farewell Dance or to have a name band and an entertainment—the name band won hands down. Result: Dick Jurgens for May 11-12.

The girls, known informally as 'Buckies,' demonstrate their musical preferences in an uncertain manner. They buy recordings by specific name or by the band's name, and sometimes they even ask for records by number. They play waltzes by the hour, either on their own phonographs or on the slot machine. And what band leader wouldn't like a recording of his to have a sale with 1,000 to 1,500 girls any afternoon or evening in the week?

Glenn Miller, a Rarefire Bender

The recently ruling favorite is Glenn Miller. Record dealers say his are the only recordings for which the 'Buckies' ask by merely naming the band. No matter what the piece—if it's by Glenn Miller—ask! His 'Tuxedo Junction' has been perhaps the best seller of the entire year in local music shops, and his 'In the Mood' apparently really did put 'em in the mood for music.

Also on the topmost rung of the popularity ladder are Tommy Dorsey, Artie Shaw—the old, old Shaw band—Larry Clinton and Dick Jurgens. Clinton was a big favorite last year, stamped somewhat extra this season and rose again when it was announced he would play for the Junior Prom. Jurgens' recording of 'My Last Good-Bye' had a big run, and his vocalist, Eddie Howard, ranks high among favored singers.

Top man among male illustrators, however, is Jack Leonard; even though he no longer sings with T. Dorsey. When he left the Dorsey band, many of the girls noticed his absence from recordings, but sales on T. D. show no particular slump because of it.

Popularity of novelty numbers wags up and down like a nutting ship's plume. Such selections as 'It Was Only an Old Beer Bottle' and 'The Little Red Fox' enjoyed only fair favor. On the other hand, some off-the-beaten-track numbers do ring the bell. Glenn Bruner's 'Drummer Man' did it, as well as Fats Waller's 'My Feet's Too Big.' And Bonnie Baker's 'Twenty Years' still packs 'em in tickets at the machine.

General preference runs the entire gamut from sugar-sweet selections with dreamy vocals to jarring jazz that leaves the dancers and knowing which end it represents.

Bands that appeal to the Stephens campus for dance, however, get around only diversity of preference by bringing along an ample supply of both 'sweety-things' and 'swast-things' numbers.

Don't forget, however, for the leaders of these bands to remember, it's this: Don't forget your amateurish songwriting. Otherwise, these bands will wear your writing hand down to the wrist.

(Next Week: U.S.C.)

'Playmates' a Lift on Old 'ola'; New Pub Agrees to Pay Old One

Musical Steamup

Ruth Kenney, radio columnist and songwriter, checked in at Hot Springs recently and bumped into Eddie Gart, who admitted that he was about to take a steam bath.

"Yeah," asked Kenney, "what song are you singing?"

NEARLY ALL PUBS SET ON SPA DEALS

Songwriters Protective Association has received extensions on the standard writers contract from all publishing houses originally committed to it, two, Mel-Art and Broadway Music Corp. Latter is expected to sign as soon as Will von Tilzer has recovered from his illness, while Jack Bach, of Mel-Art, informed the SPA last week that he didn't intend to negotiate himself to the SPA form of contract because he couldn't afford to pay the writers 50% of the mechanical fees. Sam Fox and Lincoln Music, holders on the original agreement, have again declined to become parties to the SPA contract.

The new form of agreement was for six months, ending May 21, 1940, unless the publisher on or before April 20 gave SPA notice that he wanted it extended to May 21, 1941. The publishers who exercise their extension options still hold the privilege of using either of the two contract forms now in effect. It is proposed to combine these two forms through the process of negotiation at some later date.

There is still a question whether the SPA will ratify the agreement extensions of those publishers who have failed to turn in lists of SPA members' compositions which they have published since June 1, 1931, as required under the original agreement. The SPA wants this information so hard so that it can maintain a check in behalf of its members on mechanical income owed for such numbers.

Many have moved into RKO as musical arranger and orchestrator.

Quinty-Jay-Selert, Inc., has found a way out of the complications that developed when it was discovered that its current number, 'Playmates,' was an infringement on the melody of an oldtimer, 'ola.' It has arranged to pay a royalty to the Warner Bros. group, which controls part of the renewal rights to 'ola,' and leave it to WB to split these proceeds among the writers of 'ola.'

After S-J-S itself discovered the similarity of the melodies it approached the co-publishers of 'ola' and tried to work out a deal. WB was the original publisher of the number, but when it came to the renewal Jerry Vogel took up one of the two writers. After Vogel had demanded a much more substantial proposition than S-J-S offered, Warner gave the latter a license to publish any part of 'ola.'

There is an interesting legal question involved in Warner's action. The writer it controls was the one that took on copyright renewal on 'ola,' and the theory prevailing among publishers on this point is that while two publishers holding the rights to a number are in effect partners and must give acknowledgments to each other, the publisher that has the rights from the writer who took out the first renewal is entitled to assign publication rights to whomsoever he wishes.

'Playmates' was written by Saxxy Dowell.

Crawford, Olman Amon, Music Men Mentioned To Succeed Henry Spitzer

Following the takeover at Chappell last week, the music trade talk as to Henry Spitzer's successor, as managing head of the three firms, Chappell, T. B. Harms and Crawford, has brought up a stack of names. A leading possibility is Bibby Crawford, which would mark a comeback into the business after selling out firm bearing his name. Crawford has long been a disciple of Max Dreyfus and went with the latter into the original \$200,000 pool for music from when Warner Bros. acquired Harms, Remick, Witmark, DeSilly, Brown & Mendelsohn (predecessor of Crawford Music) and others.

After many years at Chappell-Harms and other Dreyfus music interests, Spitzer departed the firm last week. Another departure was Selma Tanberg.

Crawford has been on the Coast latterly as quondam talent agent and more recently producer of a short-lived Broadway leg.

Also mentioned for the vacancy in the Dreyfus setup is Abe Olman, executive in the Melrose-Buddies organization. From a quarter close to Dreyfus comes the speculation that despite his intermittently poor health, Dreyfus might defer making an immediate replacement and instead manage the companies himself.

PROFESSIONAL MEN BENEFIT BEST TO DATE

Including a \$1,000 bonus at \$20 top, over \$12,000 from program sales, and the usual \$1,000 contribution from ASCAP, the sixth annual benefit of the Professional Music Men, Inc., at the Alvin, N. Y., on Sunday (3) is the biggest to date.

The available Broadway talent were on bicycles doubling among several benefits that night but it was noted that the unemployed had more than usually affectionate call on the stars who donated their services. Many frankly voiced their gratitude and indebtedness to the music contact men for their ambivalence and loyalty through the years; that without the necessary song material the bands and singers would be less or no contact.

Guy Lombardo was openly wept at not again opening the show as he has all previous years, and declared himself emphatically for that privilege again next season. Apparently his current Broadway Strand booking didn't permit that.

Donating the \$100 rental for the Alvin, the \$250-\$300 for the pit musicians (including replacements), the rest of over \$15,000 goes 100% to relief by the PMM through the year.

(West ending May 4, 1940)

1619 BROADWAY, NEW YORK CITY

Costly Red Seal Highbrow Records Suffer Under Columbia, Decca Fire

Red Seal Victor discs retailing at \$1.50 and \$2 have suffered a serious sales beating under the competitive fire of symphonic and operatic recordings made at popular prices by Columbia, Decca and RCA. As a result new black label releases retailing at 75c and \$1 are being issued with artists and material heretofore not available under the Victor imprint at that scale.

To keep up with the regular Red Seal output, music-lovers were obliged to budget \$5-\$10 weekly and the present stringency of their incomes did not permit this. Victor was losing out on a straight price matter.

The first month's issue of the new price includes recordings by John Barbirolli, leader of the N. Y. Philharmonic Orchestra, and such soloists as Yudi Dal Monte, Margaret Macomber, Ignace Jan Paderewski, Maria Jurek, Enrico Caruso, Fritz Kreisler, Yehudi Menuhin and Benjamin Glaz.

Miss Martini, for five years a Victor exclusive, is now a Columbia artist. Meantime many of the big foreign artists have recorded abroad, such as Pons for Columbia and Melchior, Beinhorn, Paganini, for Polygram, etc. Decca has acquired the rights to these artists and is selling them for less than half Victor's price. Marlene Anderson is another in this category, her records having been issued by the RCA company, as well as Victor.

Should the Victor move increase sales, it is expected that the entire red seal catalog may be reduced in price. Victor has been able to maintain where the price is not as high to reduce its price, but this is not frequent. For example it issued a set of "Tones" with Glaz started at \$2 a record, the set having been made in England where labor is high, and had proceeded this set with one of "Bolero" at \$1.50 a record, set with Glaz, the recordings having been made in Italy.

At Newcom, in line from 20th-Fox, working on the score of Samuel Goldwyn's "The Westerner".

SPEEDBOAT DOUBLING

Ted Streeter Leads Bands at Fair and at Norey

Ted Streeter will alternate lead two bands under his name this summer when a Streeter group opens at the Terrace Club at the New York World's Fair Saturday (11) while his current outfit remains at Peier's Monte Carlo, New York. He'll take the setup at the Fair until 9 p. m. each evening, then hop a speedboat from the Fairgrounds to New York to spend the rest of the night at Monte Carlo.

Pelle Ferry, M. C. manager, also directs the Terrace Club.

BAND POPULARITY POLL BAKED IN BISCUITS

Band polls via transcriptions is the latest. Martin Block's semi-annual popularity vote-taking spiral is being run into his twenty players for circulation under the sponsorship of National Biscuit. Heretofore strictly local (WWEW, New York) his next poll, which starts May 15, will be much wider in scope.

Block started cutting the second 15 weeks of transcribed Make-Believe-Balloon last week (7). It's been topped one outlet from the starting 15 stations.

Bob Crosby's Vaude Dates

Chicago, May 7. Bob Crosby orchestra, closing a season in the Blackhawk club here May 12, sets out on a route of six weeks of vaude which will take in Chicago, Milwaukee, Detroit, Cleveland and possibly Pittsburgh.

Then hops into the New York World's Fair for two weeks and then out for a stage of one-offers.

John Abbott, general manager of Francis, Day & Hunter, has obtained the British rights to "A Lover's Lullaby" from Jewel Music. Abbott has been over here for the past several weeks.

Nebraska College Dance With Clinton Got \$1,375

Lincoln, May 7. LARRY Clinton, playing for the second anniversary of the Nebraska U. student union, headed in \$1,375 at the University coliseum (11), with advance tickets sold for \$1.50 and door sale, \$1.00 per couple. It was the biggest band gross in town this year.

Barbie Hirtman, opening Antelope Park, an outdoor pavilion, at 40c per person, brought in \$245 Thursday (21), which bettered the house record by a small margin. Band went very well, but the still outside the dance spot cut down the attendance.

HEIDT'S C.A.B. GETS 2-WK. STATE BOOKING

Harvey Heidt's orchestra has been signed for two weeks at Loew's State, New York, opening June 13. The band is usually a two-week stand. Heidt will hold over two while the accompanying screen fare changes. (Heidt's "Pal of Gold" has high C. A. B.)

Harry Richman is booked for the week preceding Heidt, June 5, and Bob Hope is set for the stage before that.

Vidacovich, Ex-WWL, Heads Hotel Hoof Group

New Orleans, May 7. Finky Vidacovich, violinist and arranger, is back with new band in the St. Charles hotel. Gait job is musical director of WWL after five years in lead crew.

Tony Catalano and his Diamond Swingers arrived Wednesday (11) to provide music for dances on vaudeville steamer President. He provides the music each night. Tony Almerion and band have been signed to play for the all-day Sunday cruises from New Orleans to up-river points, while Slim Papalia and his aggregation parties to provide rhythm for Saturday all-day picnic outings for high schools on boat.

Band Bookings

Midwest Apres, May 21-June 4, Comby Island Park, Cincinnati.

Benny Carter, May 18-19, Williams College, Williamstown, Mass.

Happy Felson, July 8, indef., Cavalier Club, Virginia Beach, Va.

Harry James, May 28, four weeks, Hi-Way Casino, Westport, Mass.

Eddie LeBaron, May 21, Baker hotel, Dallas.

Louis Prima, May 18, week, Apollo theatre, N. Y.

Howard Woods, June 8, Terrace Beach Club, Virginia Beach, Va.

Jack Tringard, May 28, week, Follies Park, Fort Lee, N. J.

Harvey Heidt, May 21, Strand theatre, N. Y.

Henry Stone, May 7, Army, St. Louis, Mo.

Streater, 15, & U. of St. Louis, St. Louis, Mo.

Louis 8, Army, Bowling, Neb; 18, week, Towne theatre, Kansas City; 22, week, Eastwood Gardens, Detroit; June 1, Lake Breeze hotel, Buckeye Lake, Ohio; 18, indef., Palms hotel, San Francisco.

max Park hotel, Washington, D. C., indefinite.

Earl Hines, May 28, four weeks, Rostand Ballroom, New York.

Louis Paulon, May 24, Riverside Park, Des Moines.

George Hall, July 14, week, Million Dollar Pier, Atlantic City.

Finky Tumbler, June 8, indef., Chrysler hotel, Memphis.

Duke Ellington, May 16, Turnpike Casino, Lincoln, Neb.; 11, Skyline B, Sioux City, Ia.; 12, Chermid B, Omaha; 12, Old Capital Club, Tulsa; 12, And, Houston; 28, And, Birmingham; 18, 20, Gulf Lake, Richmond, Mich.; June 1, Old Orchard Pier, Old Orchard, Me.; 18, Cornell U, Ithaca, N. Y.

Finky Tumbler, May 18, Texas Union, Austin; 11, two weeks, Sylvan Beach, LaPorta, Texas; 28, Greenview Inn, Wichita; June 1, Coconet Grove, Tulsa.

George Hall, May 18, Midler theatre, Atlanta, Ga.; 17, Lake Breeze hotel, Buckeye Lake, Ohio; 18, Monoglow Club, Cape Girardeau, Mo.; 28, Shrine Mason, Springfield, Mo.; 22, Century Room, Tulsa; 21, Turnpike Casino, Lincoln.

Kelton With Gilbert

Hollywood, May 7.

Frank Kelton has joined L. White Gilbert music publishing firm as general manager.

Onetime vice-pres of Shapiro-Bernstein retains his stock interest in Melody Lane publishing outfit.

SPA Wants More Tunes Air-Plugged; Present Rate 'Discouraging Writers'

10-YEAR EXCEPTION

Bliss Barron Into Blackhawk and B's Not an RCA Band

Bliss Barron becomes the first band not managed by Music Corporation to go into the Blackhawk Cafe, Chicago, in about 10 years. Barron goes into the spot June 1 for four weeks, replacing the current Bob Crosby.

Outfit is currently on a one-nighter and theatre circuit.

MONEY DISCORD SNAGS CARTER-FITZGERALD

Elia Fitzgerald orchestra was all set to be broken up and rebuilt with Benny Carter, bandleader and trumpet player, at its head last week but the deal fell through when the money angle couldn't be settled. It would have been called "Elia Fitzgerald and Her Orchestra," as her position was not to be disturbed, but the tag "Conducted by Benny Carter" was to be added. Outfit finished a stand at the Famous Door, New York, Saturday (21). Band starts on a week of one-nighters in the New England territory May 13.

Carter expected to break up his own band and use some of the musicians from that outfit in the new Fitzgerald combination, along with others from other sources. Miss Fitzgerald's group is the former Chick Webb outfit, with which she had been singing and which she took over under her own name after Webb died last summer. She has not been actively leading, confining herself to vocalizing.

Low Point, Johnny Lange and My Heath called "Benny the Beaver," to be sung in the Republic picture, "Thunderbolt".

Members of the Songwriters Protective Association, meeting at the Park Central hotel yesterday afternoon (Tuesday), authorized the executive committee to take steps toward adjusting the situation in the networks which limits the number of new tunes that can receive plug attention. It was urged that the executive committee, through the Music Publishers Protective Association and advertising agencies, to reduce the consideration given the weekly "most played" lists so that more songs can get a break on the air.

Irrving Caesar, SPA prez, pointed out that the intense competition which prevails among publishers to head those lists has resulted in weekly rungs that are entirely out of line with the intrinsic popularity values of the particular numbers. With the first 25 or 35 numbers piling up such huge summative figures each week, it has become discouraging for many writers to get their tunes exploited. Caesar said that what made it still worse was that ad-agency producers, instead of using their own showmanly instincts, depended on their choice of numbers on the few tunes leading three weekly "most played" tabulations. It's got so, he added, that people remark "that tune must be a bit lousy I hear it so much," whereas in former days hits were measured by expressions of personal preference either via the sheet-music counter or requests made of band leaders.

Another point in the discouraging element mentioned by Caesar is reflected in the report that the SPA, whose members are virtually 100% ASCAP-affiliated, fears that if many of the older writers don't start getting breaks on the air they may be inclined to place some of their manuscripts with Broadcast Music, Inc., which is broadcaster owned and operated. It would be done in the hope of overcoming the freeze-out.

SPA members also voted to endorse the publication of salacious songs. The mail ballot showed 215 in favor of endorsement and 28 against.

TUNES OF THE TIMES

TOP SONGS ENDORSED BY TOP LEADERS

A NEW HIT . . . Mark Gordon's Most Beautiful Ballad
SECRETS IN THE MOONLIGHT
from the 20th Century-Fox film, "Standards"

FIRST On Radio — In Sales — In Popularity!

THE WOODPECKER SONG

Today's Most Requested Rhythm Favorite

IT'S A WONDERFUL WORLD

Lyric by Harold Adamson — Music by Lennox and Johnny Watson

The Song You'll Want To Play Again And Again

I'M STEPPING OUT

WITH A MEMORY TO-NIGHT

by the writers of "Milk and Honey, Please"

Everyone Will Be Whistling-Singing-Humming . . .
the hits from Billy Rose's "NEW AQUACADE"
at the New York World's Fair 1940

Eleanor, I Adore You

You Think Of Ev'rything

When The Spirit Moves Me

There's A New Gang On The Way

Lyrics by Joseph McCarthy and Billy Rose
Music by Jimmy Van Heusen

ROOSEvelt MUSIC CORPORATION, 709 Seventh Ave., New York
HARVEY BAKER, Gen. Pres. Agr. SPO TALENT, Pres. Agr.

Extra!
SANTLY-JOY-SELECT NEWS
BING!
SANTLY-JOY GETS NEW HING CHORDS
DANCE EXTENSIVE NIGHT . . .
Dave Butler, Producer of New
Universal Pictures, "IF I HAD
MY WAY", claims Burke &
Monaco out-do themselves
with this score!

I HAVEN'T TIME TO BE A MILLIONAIRE
ARTHUR HAYES THE THUNDER
MEET THE SON HALF WAY
THE PESSIMISTIC CHARACTER

SANTLY-JOY-SELECT, INC. 1205 W. 11th St.
AACE MARK, Pres. Agr.

Just a Natural, Everyday
Great Song
The Singing Hills
For Every Singer
For Every Orchestra

"Look Down My Baby Barri—
Slide Down My Cello Door"
PLAYMATES
Bennie Dowell's successor to
"Fishier"—A Dynamic Revival!

Kelton With Gilbert
Hollywood, May 7.
Frank Kelton has joined L. White
Gilbert music publishing firm as general
manager.
Onetime vice-pres of Shapiro-
Bernstein retains his stock interest in
Melody Lane publishing outfit.

Philly Niteries Dress Up For GOP Conclave

Philadelphia, May 7.

Philly niteries are getting a new lease on life, with several spots reopening and others lining up big names in anticipation of being held during the Republican National Convention next month.

First to unbutton is the new Club Ball on the site of the defunct Benny-the-Bum's. The new spot opens its doors Friday (10) with a show headed by Cross and Dunn, who addy enough headlined the opening of Benny's in 1937. Others on the bill are Paul and Eve Raper, dancers; Peter Sorens, Martha, singer; a house line of 12, and Johnny Howard, m.c. Band is not listed as yet.

The Ball will be managed by Ben Lowmich, former partner of Benny-the-Bum, and is being operated by the Kallman Bros., owners of the nearby Little Ballroom. The Kallmans have registered the name "Ball" in addition to the names "Zambie," "Schwemmer," "Aisha" in order to forestall anyone using those tags for a tropical-type spot.

Monie Framer of N. Y.'s Beachcomber was called in by the Kallmans as a consultant. The Framer food and drink menu will be used at the Ball.

Also set to roll in the near future is the Amherst, at Drexel spot on the East River Drive operated by Arthur H. Padula. After being on the market of the American Federation of Musicians for the past year because of dispute over classification, Padula settled with the union Friday (7). He promised to pay a back claim of \$200 due to Johnny Giff, whose band played at the Amherst last year. Deadline for payment is Saturday (11). The spot will be played under a "W" classification, and the union agreed to allow broadcasting of bands without live charge. Padula said he would operate on a name band policy.

The Rainbow Gardens at Bradford, Pa., one of the most successful outdoor spots in this area last summer, will reopen May 13, with Lew Zella's band making a return engagement.

Summer Hurley Out

Pittsburgh, May 7.

Sharp decline in his during last fortnight, at first approach of warm weather, has caused George Jeff, operator of town's single burlesque house, Casino, to drop contemplated plans for summer stock. Spot at a result will hold June 1 until middle of September.

Casino is winding up next year to more than a decade, trade having been steady on rise ever since get-away last fall.

N. Y. City Air Boom

(Continued from page 51.)

the rates were steep for any kind of radio advertising. WGB has always been able to beat this idea but not until this year have the benefits really been spread around.

Furthermore, a lot of spot business was heretofore carried on WABC and WEPF-WJZ—all network-owned key stations with tough rates—and that kept the sponsors from fully using other stations, or taking advantage of lower rates. But now that the network rates are loaded up with network staff, sponsors have looked elsewhere and the gray is being in all directions.

Artists Not Yet

To this general picture must be added several other points of detail: (1) Until recently, sponsors have considered New York a somewhat radio burg because of the curious compound of metropolitan and suburban population. Daytime serials survey rate as high in New York as in the hinterland, and this fact, plus others like it, gave sponsors a peculiar angle on the town. However, stations have lately put out big bursts of trade ads, sales promotion, promotions, etc., to overcome this conception. Their talk now is phoned in nothing less than all-wise coverage areas.

(2) New York has around 12% of all the radio sets in the U. S. and nearly 15% of the nation's effective buying power. Times being what they are, that's a mighty inducement to using radio in New York City.

(3) As is every other place, New York radio is getting a goodly share of an increased advertising budget allotted to New York City. In other words, New York radio may be benefiting to some extent at the expense of the newspapers. Here again radio has driven home the point that buying more and more newspapers overlap coverage rather than spreads it. That works to radio's advantage.

Taken as a composite, all these factors are pushing New York into the ranks of really great radio towns—of which Cincinnati and Des Moines have always been the foremost examples. Some of the old feeling that New York is somehow over-graduated last year when N.Y. got its first big dose of sponsored baseball play-by-play broadcasts. These have been mentioned this year.

And not to be overlooked is the tendency to use multiple stations for a New York campaign. Lucky Strike has had some first-hand experience in this direction by spotting the Ray Kruger network show on WGB the night after it rides the NBC Red. Now Lucky is underwriting its 300 announcements all over the New York lot. Similarly Sterling Products and American Home Products are using multiple stations for rebroadcasts of their web fare, plus announcements. Peter Paul, Stantek, Gardner-Hennrich, Utilitec Engineering Institute, Dodge, Pull Mail, Shell Oil, Blue Ribbon Books, De-Lux, J. R. Williams and Pepsi-Cola are following the same strategy.

Eddie Crompton, Niter Singer, Taken for Ride

St. Louis, May 7.

Illinois State police are adding another to the list of niteries, near St. Louis, in an effort to solve the mysterious slaying of Eddie Crompton, 30, niter singer, who was found dead last week on the state highway near Taylor, Ill. Crompton, who lived in St. Louis, had been shot three times. Coroner Dave Clayton, Benton, Ill., said signs of a struggle were found near Crompton's body. He asserted Crompton had been taken for a ride.

Everett Reagans spent indefinite engagement at Bill Green's Casino, Pittsburgh, Monday (7), replacing the George King outfit.

15 YEARS AGO

(From VARIETY)

Jack Dempsey signed for four weeks at Berlin's Luna Park at \$1,000 per. Means that he was quitting the ring for a year.

An ambitious radio program undertaken by ABC in memory of Victor Herbert on the first anniversary of his death.

Lillian Jones stated to write some of the music for the next "Ziegfeld Follies." Gene Buck was to do lyrics and Milton Weil to publish the music. Jones was especially interested in the West form.

Earle Beebe, Bruce Tuck and James Gleason formed new legal producing combine. "The Shipman" was to be their first Broadway try.

Some sort of a record was being set by Moss, Schumann-Hick, who was to appear for the 5th straight year with the Met opera.

There seemed to be a scramble for Clara Bow among the producers, but the "W" gal was under contract at \$200 per to R. P. Schulberg, who was taking \$2,000 weekly for her services.

Frances Howard, wife of Earl Goldwyn, was retiring from stage and screen. She was released from her contract with Famous Players.

Shirley Temple

(Continued from page 1.)

she would again step into Fox film in five or six years, although how this would be possible has not been worked out. In the meantime, he said, he wants to see her have a normal child's life which she has missed during the seven years and 21 pictures she has made for Fox.

Zanuck expects to return to the Coast by the end of the week with William Goetz, his exec. assistant, and Ed M. Wurtzel, exec. producer, who accompanied him east. He has spent much of the time since his arrival on Monday (4) with attorneys giving depositions in a personal trial suit in which he is a witness.

He revealed that the two pictures a year which Howard Hughes will make for B&W will be sold separately from the regular product and will be, in addition to the normal output of the lot. Hughes and Howard Hawks are working on the story for one film now and it will go into production in a few weeks. Zanuck said, smiling at least one Hughes picture for release during 1946-47. No other similar deals are now being negotiated, but the company would not be adverse to them if the proper time came along.

In the odd moments during his stay here at the Sherry-Netherlands, Zanuck is conducting by telephone and telegraph the management of the 20th Century-Fox studio at Woodland. He has picked up the routine of remote control where he left off last May a month ago when vacationing at Sun Valley. Studio writers, directors and producers moved in and from Sun Valley in endless succession of conferences.

Portion of executive duties are being shouldered by William Goetz and Ed Wurtzel, who accompanied Zanuck east.

New Acts

Yvette

12 Misses.
La Martinique, N. Y.

Yvette is a young, blonde beauty, with a nice singing style and unusual sight values as a solo chanteuse. This is her niter debut. Considering that NBC has been building-up her, it's surprising that the affiliated Rainbow Room didn't grab her first. Instead she winds up here, from a Sunday afternoon other series, and more than improves as acceptable solo talent.

She has graceful, nifty-looking limbs which she knows how to use, a natural blonde personality that's fetching, and a French manner that's bewitching. Having from Louisiana, she's not valued by any means, sounding authentically Gallic in her French songs. Thereafter "Wind and Rain" and a specialty song revival version of "K-E-K-E" and off. Later isn't exactly in her best style. Yvette being more in the ball school, although it's pointed that a change of pace is in order.

There are a few new and promising solo personalities to come along with the coming seasons. Yvette is one of them, particularly good for club rooms, although likely also for restaurant work. Her NBC building should have its h.s. values in both spheres which he risked equally as well.

GULL-GULL

12 Misses.
New, N. Y.

Billings himself similarly to Gull-Gull, who was at the Rainbow Room this winter, Gull-Gull may be easily confused with that singer. Gull-Gull has a number of good tricks and should not along satisfactorily.

His burning of a strip of cloth and the elaborate on the old East Indian needle mystery, which Gull-Gull did, are both effectively performed. On the needle trick, Gull-Gull adds a flag to the needles, which are drawn out of his mouth half-way across the big heavy stage. Got over after here when caught singing night (7). He has worked niteries.

THE GRACIELA HANVERS (4)

12 Misses.
New, N. Y.

This act is an outgrowth of Gracielas and Thelmas, an offering of five people which played vaudeville for some years, specializing in stunts. Then made up of four persons, the combination is three men and one woman.

The girl is a bit wooden, particularly at the opening, and the hand-off upon her a little too much so, but the team, in which she is thrown with the rest of a rubber ball, are outstandingly effective. The stunts are virtually perfect, the finish sending the act across in strong fashion. Adverse work is more about the climatic lines than usually seen now, and in some extent that is better.

GOLDEN GAY QUARTET

12 Misses.
Cafe Society, N.Y.

This all-star colored foursome comes heavily with its spirit in rhythm. It's a real close team, boys taking their work seriously and doing what might be implied by the "rhythm" billing, making a very dignified appearance. That's carried out further by the talk in which they are tagged.

Large part of their repertoire is made up of spirituals which are positively stunning. They are all presented, however, in fresh and unique fashion, with arrangements that are sometimes so conservative they seem to lack some of the punch they might have. General setup is to have one of the crew carry the lyrics, with the others providing a humming, rhythmic background.

Goriel has appeared on CBS "Portrait of Happiness" and at Carnegie Hall recently. It's superior to engagements like that and in its present niter spot then it would be an ordinary theatre engagement, unless backed up with more talent through medium and Broadway.

This youthful set of the screen and more recently of an ill-fated state at night has no outstanding qualities in her own series on the boards. First third of her turn—at showing caught—is devoted to some-too-effective routine, rather and ending with Milton Berlin, show's m.c. The introductory talk is more of an audience warming for her before she starts pitching songs.

She holds herself to three times, carried in a weak but cute voice. At each on the stage, she is stirred in a black gown with large white ruffs and a Queen Elizabeth collar that makes her look like a high-toned lady suddenly restored.

First two numbers done are "I Love You, De (I)" and "Say Hi, Hi." Second number is "Je Vous Salue." Done in French and introduced by her in "Love and Music," with Berlin back for some more comedy business.

Saranac Lake

Dr. Roger Brower

Saranac, N. Y., May 7.

Arctic Colony springtime loveliness: Charles "Juggling" Barrett being paraded down the mainstem in his wheel-chair, letting the natives that his dad, Harry, is holding his own. The string of out-of-state cars unloading the visitors at the Will Rogers memorial hospital who went to visit the famous institution. The lawn-party given at Camp Intermission by Mrs. William (Mother) Harris. The girl and stamens of Chris Hagedorn, who mastered three "10" operations. The comeback of Marion (Flying) Dunsen, who is joining a carnival to be an outdoor act. The return to good health of Bobby Graham. The weekly town band concert, with numbers dedicated to the Colony's strictly shut patients. Seeing Ben Schaffer downswimming with cane and spoon, setting the gang when a hard water he had in bed. The yearly report of the Arctic Colony medical that shows a 12% advance in the "cure." The fighting spirit of Marine Cannon, who has won an much illness and bed. The swelling of X-ray spring report that gives the summer an inkling of the past year's progress. The real thrill of knowing that pneumonia weather has left us.

Bill Fletcher, who branches in Phil Harris' arch, shot is for a look-out and general check-up. They couldn't find a thing, so back from-boring he went.

Thanks to John Bernstein, of Rochester, N. Y., for his timely suggestion in getting a mass of magazines for this Arctic Colony.

Grace MacDonald is perking up at the Rogers after many minor setbacks.

Forrest Glenn, Charlie Ahern's ex-cave-dent-comic, parading downtown.

Tom O'Hara, local amateur producer, was in that Little Falls, N. Y., railroad wreck, but received only minor scratches.

The Ed Riddle, who wintered in Florida, are back here remodeling their Florida Club.

Albert Hawley, ex-New England tin salesman and successful painter, lost his appendix.

Leo Haskins, who recovered to here, now in business in Alexandria, Va., and joins the lake on the side.

Write to those who are ill.

Best Coffee in England QUALITY INN

Leicester Square
LONDON, WEST-END

WE'RE RIDIN' AGIN WITH BUCK BENNY!!

at PARAMOUNT THEATRE,
NEW YORK

JOHNNY

ROWENA

MASTERS and ROLLINS

Personal Management: AL GROSSMAN

THE THEATRE OF THE STARS

Marcus Loew
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX

160 WEST 45TH ST. NEW YORK

Dignat 9-7800

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ARA Burns Over AGVA 'About-Face' On the Enforcement of Agent Rules; Old Franchises Another Sore Spot

A meeting scheduled for late yesterday (Tuesday) afternoon between representatives of the Artists' Representative Association, and the American Guild of Variety Artists in New York was expected to either lead to further agreement on the growing breach between the agents' organization and variety actor's union. Agents were expected to demand that the AGVA live up to the recently arrived-at basic agreement which set up reciprocal endorsement rules in the managing and selling of talent. The meeting wound up late yesterday (Tuesday) evening without a definite decision. Another cutoff will be held later this week.

New York agents' group is especially burned up over AGVA's about-face on the charging of license fees to those agents who are not members of the ARA and had no hand in the basic agreement. Chief burner-upper for the ARA is that it went to as much expense and gave so much of its time to negotiating the agreement, only to have AGVA virtually pull the props out from under it by allegedly failing to enforce the very rules it so strongly requested.

Another sore point with the ARA is AGVA's failure to revoke its old franchise to agents which did not carry, as does the basic agreement, specific stipulations on the amount of commission agents may charge. This leaves the way open for those agents to get any amount of commission they can, whereas the basic agreement sets a maximum of 10%. One of the features of the agreement stipulates that AGVA cannot give any agent a better deal than tendered the ARA.

Failed to Enforce Selling
AGVA, according to the ARA, has also failed to enforce the ruling that its members must do business only with franchised agents. On the other hand, ARA has been carrying out as far as possible the agreement's stipulation that its members agree only such acts as are AGVA members. Some ARA members, in fact, claim that they went to all lengths to break down certain performer resistance against joining the variety performers' union.

At a council meeting a couple of weeks ago, AGVA passed a rule licensing all agents outside the ARA, fine to be \$50 for each agent and \$100 for each associate, which is the same schedule as ARA's dues. Some after, however, the union reversed itself and decided against the licensing fine. Some in the ARA are this as definitely weakening their group.

An ARA board meeting Monday night (1) decided upon putting the matter squarely up to AGVA. Committee named to meet with the artists' union yesterday included Billy Kent, president; Samuel Shayan, treasurer; Herman Berke, William Morris, Charles Miller (Music Corp. of America), and I. Robert Brader, ARA's counsel. Biting in for AGVA were Hoyt S. Haddock, executive secretary, and Henry Jaffe, AGVA's attorney.

Thus far the only rule in the basic agreement that's operating is the automatic one of restoring the 1% booking fee to those ARA members who are agent-bookers, as of May 1. Agreement stipulated that those agent-bookers were to again charge booking fees on May 1 if the AGVA failed to get the vaudeville circuit to waive the booking commission by that time. The circuit and AGVA are still wide apart on this matter, as they are on AGVA's demands for a maximum of 25 shows weekly in the variety house.

B.K. NAMES HOLDEN AS MGR. OF CHICAGO

Chicago, May 7.
William Holden, manager of the State-Lake theatre here, has been named manager of the Balaban & Katz Chicago theatre, replacing Roy Brader, who resigned to open a recreation center in East St. Louis in partnership with Johnny Perkins.
Charles Cutler, now manager of the Marlboro, comes to the Loop to take over the State-Lake managerial reins. Cutler was formerly manager of the Oriental when it was owned by Balaban & Katz.

2 New Levy Spots

Seattle, May 7.

Low Maxwell, local Bert Levy manager, reports Tower theatre, new Warner house in Bend, Ore., is opening with vaude, two nights per week, May 15, and the New Civic Arena (2,500-seater), in Monmouth, N. C., is another addition to the circuit, opening May 17 for two nights weekly.
Arena is a new spot, seating 1,000-1,200, with two floors as main floor, and is primarily for burlesque. The burg has only 20,000 population, but 40,000 drawing area.

Masters-Rollins Get Full Pay From N.Y. Par For Prepping New Routine

Masters and Rollins were in the unique position last week of drawing a full salary at the New York Paramount for rehearsing a new burlesque routine. Mixed comedy-dancing team opened at the house April 25, but played only one show when it was found that the pit stage was too shallow for their elaborate knockabout.

Act, on full salary, was then permitted the use of the stage early every morning to rehearse a jarring variation that could be maneuvered on the pit platform. They went back into the show April 26, after being out for six days.

Current Par show features Combs Russell and Gene Krupa's work, with "Buck Benny Rides Again" (Par). Combs started third week today (Wednesday) and will stick for a fourth.

Dust Off N. O. Dauphine As Burlesque-Nitery

New Orleans, May 7.

The old Dauphine, once the scene of the town's most terrific burlesque, is being shifted and started for reopening early in June. This time it will be a combination nitery, burlesque and film house. Workmen Thursday (1) began replacing stage with ladies where customers can sit and drink while the entertainment worms up the asbestos on the stage.

Reopening of the Dauphine will result in closing of the El Toreo, French Quarter nitery. Spot's present managers are bunkering the Dauphine rejuvenation.

Bande' Biz Coes K.C. Tower to Book Bume

Kansas City, May 7.

Tower theatre has booked Henry Bume and orchestra for week of May 18, on strength of returns from recent band dates of Don Bestor and Jimmy Lancetford and of a stand by Bume here over a year ago.

For the Bume date house is forsaking its regular 10% straight admission for a 15% tariff at night, with matinees at the regular quarter. Since its reopening last August under management of Barney Juden, Tower has maintained an admission of 10¢ at all times.

State, Hartford, Closing

Hartford, May 7.

Summer shuttling of the vaudeville State here has been set for June 1.

House is booked by Eddie Sherman in New York.

Magic Unit Cancels

Lincoln, Neb., May 7.

"Magic in the Air," vaude unit composed entirely of magic acts, cancelled engagements here at the Liberty last week (4-5) when a report of the advances in the unit was said to be unsatisfactory.

Howard Frederic, manager of the house, had already spent over \$100 in ads when the cancellation came through.

Cartoon Vaude

Continued from page 1.

low, William Courtleigh, Will Rogers, Kattus and Brown, Elmore Stevens, W. C. Fields-juggler, John Fuller Golden, Kitty Gordon, Broadway, Billy Sisters, Davey and Brennan, Roney and Bent, Chic Sales, Four Marx Brothers, Avon Comedy Four and Bert and Betty Wheeler.

Also, Harvey and Hollister, Mamm and Kerley, Carley DeHaven and Flora Parker, Empire City Quartet, Skyle and Green, Frank Crumit, Billy Van and Beaumont Sisters, Frank Tinsley, Bruce Clayton, Tots, Five Columbian (Marilyn Miller), Clayton, Jackson and Durand, Alton Stanley, Joe E. Howard's Barrow, Harlowe Gaskin, Joe, Myra and Buster Keaton, Hyman and Mathers, Joe Walsh, Bonita and Barnie, Lew Decker, Large Dwyer, Annette Kellerman, Semler Ford, Louisa and Brown, Stanek's Circus, Joe Hart and Corine DeHaven, Walter C. Kelly, Rex Samuels, McKay and Arline, Ed Wynn, Fannie Brice, Great Little, Joe and Marion Charles, Harry Lumsden, Bert Williams, Brechtart, Williams and Wolfe, Singer's, Midgets, McIntyre and Heath, Bonini and Arthur, Jim and Bonnie Thornton, Charles Wimmer and Co., Henry Ray Evans, Lillian Shaw, Conlin, Stern and Carr, Viola Victoria, George Jessel, Joe Frisco, Jaxson, Morine and Glenn, Kells and Dill, Montgomery and Stone, Joe Cook, Vera Nikolaeva and Fred McPherson, Elmo City Four, Fred and Adele Astaire, Gallagher and Sheen, Paul Armstrong, Johnny Ford and Mayne Gray, Orin and Cady, Lulu McConnell and Simpson, Mr. and Mrs. Vernon Conlin, Jack Norworth and Nora Baker, William Lett and Co., Adelaide and Hughes, Jimmy Davis, Gaby Deslys and Harry Pilier, Joe Clure, Harry Lumber, Stan Stanley, Eva Fay, Joaze and Hare.

Although the strips portraying this have not yet been published, Brainer says he intends calling the troupe the "Ditty Pals All-Star Vaudeville Co." In Monday's (1) issue, the troupe's guiding light, a character portraying a broken-down old vaude performer, came up with the slogan for the troupe, "Bring Vaudeville Back Alive." In Tuesday's (2) cartoon, this same character put vaudeville playing vaude on the par as non-entertainers. Ed Sullivan, columnist with the greatest penchant for stage dates, is also syndicated by the Chicago Tribune.

According to Brainer, the troupe will eventually find the going too tough and break up in the Midwest. Then Winnie Winkle and her husband-dance partner will get a berth on a Mississippi River showboat, eventually winding up in a New Orleans nitery. From the latter they'll go to the Coast and Brainer hopes they'll star in pictures.

OLD SHAY, PITT, GETS ONLY \$50 BOOZE FINE

Pittsburgh, May 7.

Old Shay Gardens, top-flight local nitery, got off lightly on charges of house-ruffing and improperly advertising its entertainment brought by State Liquor Control Board. Spot drew only a five-day suspension in its license, or a \$50 fine. However, since place was forced out of present quarters a week ago and won't go into new location for at least three weeks, temporary lifting of permit will have worked itself out in abundance.

Decorative room, formerly occupied by Joe Hill's Music Box, is presently being redecorated by Old Shay nitery. The plan is to be ready for opening by Decoration Day, but known yet whether old name will be retained or not.

Outside of Plaza Cafe, which had its license revoked completely, town's leading nitery came away unharmed during annual licensing period. Couple of small out-of-the-way spots drew suspensions ranging from 30 to 60 days, most of them keeping going by paying fines amounting to \$10 for each day of suspension.

Deities have been handed down yet in case of Antiochian Artists Grid, swanky drinking club connected with Pittsburgh Playhouse, on charges of selling to non-members and maintaining improper accounts. Socially-backed spot had three prominent citizens appearing in its defense at hearing in Harrisburg last week and not more than a slight suspension if even is indicated.

Tax Men Raid Virtually All Philly Niteries for Social Sec. Claims On Acts, Musicians; Hint N.Y. Next

Pitt's 1st Rumba Spot

Pittsburgh, May 7.

Town's are total. Slender-operated William Penn, doesn't plan to approve its summer spot, the Urban Band, for dancing this year. Last summer, it was open for only a month. Instead William Penn contemplates turning its small Continental Bar, which is air conditioned, into a rumba room and installing a small South American combo to play for dancing. Doesn't currently have a dance floor, and one will be built in next couple of weeks.

It'll be Pittsburgh's first rumba room, with burg just beginning to go for the Camp staff. Some presently employ quartet of strippers under Billy Calzone. Hotel's regular supper dance room, Chatterbox, holds for season June 1.

Edgewater, Chi, Put On AGVA's Unfair List For Doubling Actors

Chicago, May 7.

Edgewater Beach hotel here has been put on the unfair list by the local American Guild of Variety Artists following failure of the northside inn to get together on a satisfactory agreement with AGVA's Chi chief, Lee Curley, and his committee.

Complaint against the hotel is that acts were being forced to double from the regular Marine Room nitery to private dining rooms, banquets and parties. William Dewey, of the hotel management, is reported to have refused to confer with AGVA officers.

Hilton Twins Double Up One-Night Stands

Seattle, May 7.

Playing one-night stands and two towns on the one night, too, is the unusual stilt Daisy and Violet Hilton, the Siamese Twins, have been doing in the northwest. The twins have just finished a four-month tour of one to three-night stands in towns and villages of this section.

With Annie Hartman, acrobat, the girls are now headed for the Midwest, with dates through Montana and the Dakotas being arranged by Ed Lamb, out ahead.

The "ten towns in one night" sometimes called for matinees and night shows. Usually, however, just night performances were played when the towns were around eight to 15 miles apart; such as Ash Grove and Sultan, played Thursday (1).

F&M Shifting Bandhaws From Fox to the St. Louis

Franklin & Murray is shifting its vaudeville band show policy in St. Louis from the 2,000-seat Fox to the 1,000-seat St. Louis, where the operators claim they get a better audience reaction. Key Kym opened at the Fox Friday (1) and Orin Tucker-Bonnie Baker are scheduled for this spot May 17, but after that all (1948) will play the St. Louis.

House was tested a couple of weeks ago with Ted Lewis and the Impulse was fine. Oscar Nelson's trip and Sammy Kaye's will play the house in the near future.

The Kym and Tucker acts are playing the bigger Fox because of previously set percentage arrangements.

Robert (Yacopia) Hurt

Robert of the Yacopia, tenor-tenor acoustic troupe with the Ringling, Barnum and Bailey circus, was hurt during the performance in Boston Saturday (1) and was placed in the Massachusetts General Hospital with a fractured ankle.

Accident occurred when the act was performing a two-high acrobatic stunt. Topmaster fell and Roberts attempted to break the fall.

Philadelphia, May 7.
Virtually every Philly night spot has been raided within the past fortnight by agents of the U. S. Department of Internal Revenue and had their cash tills tapped toward payment of delinquent social security taxes for musicians and entertainers. This system of collection was ordered by the Treasury Department when the nitery strikes failed to pay up after repeated demands by the department.

The agents were sent here from Washington and it was reported that New York pay spots were to be the next stop.

No estimate of the amount collected by this method could be obtained from the local office of the Revenue Department. Walter D. Rothman, head of the Philly office, refused to comment on the raids, but it was learned that treasury officials have become exasperated by night club owners ignoring written and verbal demands for payment of taxes for 1939 and '40.

The club operators claimed they were not liable for tax contributions for musicians and performers on the ground that members of these professions were "contractors" and not regular employees. The relevant owners also declared they had never deducted the 1% contribution from the wages of handmen and entertainers.

Make Tax Liability

A recent ruling of the attorney general's office, however, declared the niteries were liable for taxes whether they deducted the employees' share or not. Further, the decision held, musicians and niters were employees as defined under the Federal Social Security law. Treasury officials have estimated that taxes owed by niteries in the Philly area totaled between \$300,000 and \$500,000. The club owners claim that forcing them to make immediate repayment would plunge all of them into bankruptcy.

The raids are bringing back memories of the prohibition era to the patrons of the gay spots. Like the furies of the '30's, the T-men do their raiding in the early morning, when the agents expect to find the cash registers bulging with the night's receipts.

The T-men are accompanied on their rounds by a uniformed policeman. They make their appearance unexpectedly, show their credentials to the manager, quickly tap behind the counter and empty the cash bin. Persons in the know have declared that collections haven't been up to expectation. A visit in one of the leading downtown spots on Friday night brought the raiders a total of less than \$1. Either business is hitting rock bottom, or else the nitery owners have taken to carrying their receipts in their jeans.

Meanwhile it was learned that the State Unemployment Compensation Division was cracking up another headache for the cabaret owners. In most cases, it is said, they have neglected to make any returns for unemployment insurance for handmen and entertainers. This totals 2 1/2% of the payroll. The state department is said to be getting ready to take the case over to court in the matter.

COPS TRYING TO MAKE BUM OUT OF BENNY

Philadelphia, May 7.

Benjamin (Benny-the-Bum) Fugleman, erstwhile nitery operator, was arrested Wednesday (1) on the charge of being "idle and disorderly person and violation of gambling." Benny was pinched when a cop said he saw "about 50 persons" come over, whisper in Benny's ear and hand him something. From this, the copper deduced that Fugleman was accepting horse race bets.

Fugleman was discharged at a hearing before Magistrate John J. O'Malley, who was a frequent visitor at Benny's old hot spot. Fugleman told the Court he was now in the strip iron business.

Andrews Sisters move into the Casa Marina, Culver City, Calif., June 7 for two weeks.

'Express' Crash Cost Backers 20G; Refugee Revue Folds 15G In Red

HEAVENLY Express, Isabella Adams about whom which closed suddenly Saturday (4) at the National, N. Y., although slated to play this week, is said to have involved a loss of \$20,000. Most of the loss was caused by Herold Blomberg, it being his maiden production venture. He has been manager of Group Theatre attractions and part of the cost were of the group. Included in the backers were John Garfield, who was featured, and Clifford Odets, who wrote most of the Group's plays, but who was not concerned with Express. Odets saw the drama after the premiere, visited backstage and learned that fresh money was needed, following which he suggested that he and Garfield should each put up \$2,500 to help out the situation. Odets and Garfield drew high salaries in Hollywood, the latter before the camera and the former for his script.

'Revlon'

Refugee revue 'Revlon' in New York, which also stopped at the Little Broadway, wound up in the red for slightly more than \$15,000, after playing 10 weeks. Takings had dropped to around the \$2,500 mark, average having approximated \$1,000 weekly. Show was backed by New York businessmen who are said to have deferred out, but retain an interest in case of eventual profit. Deal made whereby the Shuberts may take over the revue, summer hotel circuit appearances also being planned.

Report that the ownership had been turned over to the refugees is stated to be incorrect. That move was supposed to have been designed to reduce operating expenses. Under Equity rules all are supposed to get out less than \$40 weekly, and no complaint was filed with Equity to the contrary. Understand the players wished to appear expensively, a system frowned on by Equity unless all concerned are actually in on the ownership.

Refugees have a special classification in Equity, dues consisting of \$1.50 per month when working in such ventures as 'Revlon.' When taking regular engagements they come under the same rules, which call for a percentage of salary weekly, minimum being \$15 weekly.

LUNTS' \$60,000 ADVANCE SALE

Regarded as the most impressive drama of the season, 'There Shall Be No Night,' starring the Lunts, which opened at the Alvin, N. Y., last week, claims an advance sale of \$60,000. Around the agencies the demand for tickets was not exceptional, probably because two a.m. daily reviews were somewhat critical of the work, as is its dramatic form, but the balance of the notices were of the rave variety. Line at the boxoffice was continuous, especially being registered and more than 500 standees attended last week.

Drama was presented by the Playwrights and the Theatre Guild, Robert E. Sherwood, who wrote 'Night' is of the Playwrights, while Alfred Lunt and Lynn Fontanne presented it. Lunts are closely associated with the Guild, having also appeared for the latter and John C. Williams in the Pulitzer prize-winning 'Idiot's Delight,' also a Sherwood play. Sherwood and Williams are understood to have an interest in 'Night,' too.

Extra-appeal ads were used for 'Night' in a.m. dailies, with quotes from the critics, about \$2,000 being expended for such insertions. In addition, a stand ad in one morning paper and the afternoon sheets followed. That insertion was away from the drama section, Times running it first column, page two. Copy carried excerpts from the review of Sidney Whipple of the World-Telegram, also from the columns of Raymond Clapper, one of that paper's special writers, whose comments on the play from a year ago attracted considerable attention.

LTC WINS IN EQUITY ARBITRATION ON CLAIMS

Claims of salary by some players in 'On Borrowed Time,' which toured one-nighters this season, were denied when an arbitration board was handed down Monday (5) in favor of the Legitimate Theatre Corp. Matter summarized three accounts and plenty of testimony. There were 14 in the cast, some stating that LTC promised them four weeks' work after closing for a similar period. Others are reported saying they had been given no such assurance and one declined to testify.

Play sought a longer extension prior to the mid-year holidays because of booking difficulties. Re-opening was first assured, but when the dark time was extended to a seven-week period, LTC was advised that, instead of a lay-off arrangement, to put a definite closing system. When such notice is made, the management is not liable for further salary and the arbitrators so ruled.

PASS-SELLING PROBLEM UP AGAIN

Abuse of pass privileges for legit shows has again been brought to the attention of the managers, particularly the evil of selling emergency admissions. Matter was brought up when it was learned that an outfit which deals in hotel and auto deals has added a theatre department for the sale of passes.

James F. Bailey, secretary of the League of New York Theatres, gathered the data that was placed before showmen, it being estimated that the average direct is sold for \$2.25, but the percentage of passes issued that are peddled is not known. In addition to actual paper sold, another system or racket is worked mostly by telephone. Customer of the pass-seller is told to ask for tickets at the boxoffice at time of performance, a name appearing on the pass list being given.

Check on the number of passes given out recently showed that there were 500 free admissions on a single night for seven attractions, only one of which was a failure. That indicated that the average number of passes used on that evening was 10 pairs, since passes usually sell for two admissions. There is, too, a type employee's pass which eliminates any chance of a tax payment.

Principal fault is believed to be the laxness of passes to suburban and neighborhood papers, since it is believed that not a little of that type of paper falls into the hands of persons who sell that kind of merchandise. Most passes are issued by press agents and company managers, but there is no evidence that show staffers are in any way connected with the pass-selling racket.

Press agents are familiar with the voice of newspapermen, people who make courtesy requests and some such passes are known to have been used illicitly. When the voices are not recognized, which happens when a phony makes the request, the pass is back to verify, with the result that this gag has virtually disappeared.

Paris May See 'Margin'

Irvin Mark is negotiating for the Paris production of 'Margin for Error,' setting for the Leland Hayward agency.

Clara Bowe recently closed for the London production of 'Margin for Error,' which is to be presented by Laith & Ruff shortly.

'Eden's' Coast Breakin

Los Angeles, May 7.

'Back to Eden,' a stage melodrama dealing with conflict in Palestine, is slated to open here in autumn, with Dwight Taylor, currently scripting at Paramount, as director.

Arthur Brockhardt, producer, figures on taking the piece to New York. Play was authored by William Weaver.

N.Y. TICKET LAW NOT YET IN OPERATION

Although the Mitchell bill limiting the premiums on all tickets of admission to the city theatres has been passed by the city council, it has not yet been put into effect. It appears that N. Y. License Commissioner Paul Moss, who will have control of agencies through the business of licenses, has not yet received a certificate from Albany officially empowering him to act. Until the commissioner takes over there can be no attempt to test the law's constitutionality.

It is possible that the new law, which has the same price limitations as the tight ticket code, but takes in all amusements, will not become operative until the end of the year. Agencies now have licenses issued by the state that are dated to expire Dec. 31. There appears to be no provision in the new law for the revocation of these licenses and pass-outs refusing to be agencies. Caution comment is heard in ticket circles over the severe penalties carried in the Mitchell bill.

Regulation meeting of the code enforcement board was held last week, at which time it was determined to continue the control system, regardless of the Mitchell bill.

Treasurers Consulted

The first time last week Broadway boxoffice men were called in for advice on ticket-selling procedure by the League of New York Theatres, but the meeting had nothing to do with the ticket code. It had to do with the drive to 'organize audiences' in the suburbs and it is stated that the nucleus of a modified, general subscription system has been attained.

Around 400 persons have signed their willingness to purchase tickets along the lines set forth. Idea is quite similar to that of agencies whose customers order reservations by telephone, tickets generally being picked up at the theatre near certain time. League's system would be to have patrons call boxoffice directly, purchasers identifying themselves probably by means of a number, list of all such customers being supplied the ticket sellers.

Suggested to boxoffice people that calls from the 'subscribers' should be received with exceptional courtesy. Then inquiries were made as to the number of persons who order tickets by telephone who actually call for their reservations. There was considerable response in the answers. One treasurer said that not more than 15% of sales by phone were picked up, but another stated that around 30% were communicated.

Nomination of Tallulah Bankhead For Equity Council Will Likely Result in Unexpected Dissension

Dissension within Equity is believed to be unavoidable following the filing of a petition Friday (3) placing Tallulah Bankhead in nomination for the council instead of Sam Jaffe, who was regularly named. The move is figured to be a slap at the militant group in Equity, which has been quiet for some time, except for the objections to the recent resolutions aimed at the Theatre Arts Committee, alleged to be a 'front' organization for radicals.

The petition, aimed at TAC sympathizers in Equity, was signed by 'regulars,' there being 65 signatures, mostly players appearing in current Broadway attractions. Named as signing the petition are Clyde Fillmore, Hans Robert and Winifred Lambson. First two are in 'The Many Girls' (Broadway), while the latter is active in Equity affairs. The filing created a big stir among Equity leaders and, despite the ruling that keeps Jaffe on the ballot, the militants are expected to retaliate. Names of Miss Bankhead and possibly others go on separate slips.

Equity officials deplored the manner in which the petition was worded in that it singled out Jaffe, who is highly regarded in professional circles. An orderly proceeding was anticipated at the election which is slated for May 24, but with the Bankhead bombshell agitation is likely. There had been a flurry over the preliminary, but when Bert Lyell accepted the nomination, fear of strife was dispelled. The officers nominated will probably be unopposed, but a contest over new members now seems certain.

More Candidates Expected

Expectations are that the group will come forward with a number of candidates for council and elect Jaffe to the ballot. Jaffe was not identified with being with the militants, but was acceptable to them. He is found to get their full support, according to those close to the situation. Nominations by petition is permissible under the rules, within two weeks of election, so that filings by next Friday (10) could place additional candidates on the ticket. Such nominations need but 12 signatures of members in good standing.

Indicated feeling in the association appears to date back to the Francis Ford benefit performances, which were opposed by TAC. Miss Bankhead, who is in 'The Little Foxes,' was then at the National, N. Y. When no benefit by that drama was arranged, the star spoke her mind about Herman Shumlin, who produced the play, and Lillian Hellman, its author, both of whom opposed an extra performance for Finnish sufferers.

Indications are that through that action Miss Bankhead would be favored by the group and TAC element. Why Jaffe was made a target is not clear and it may have a racial angle. Petitioners could have nominated Miss Bankhead without mention of Jaffe, or any other candidate for council.

When the filing was made there was an inquiry whether it is per-

missible for men and wife to be on the council and, although that has never happened, there is no rule against it. Question came up because John Emery, Miss Bankhead's husband, is among those regularly nominated. With the petition was a telegram from the star, her message being regarded only as a provisional acceptance of the nomination. She pointed out that 'Little Foxes' has a long tour booked and that she would be on the road for a number of months, therefore being unable to attend council sessions if elected.

The petition was somewhat irregular in seeking the withdrawal of Jaffe's name. Ballots were sent the membership about two weeks ago and there can be no change in that ticket. If more unusual candidates are to be added, the additional ticket must be sent out to members, too, and whether that can be done within the stipulated time limit is not certain.

The TAC matter was again discussed at last week's council session, but the resolution ordering Equity not to attend meetings of that faction nor participate in its activities, was not remembered. Paul Turner, as counsel for the association, placed on record his opinion that Equity was within its rights in prohibiting its members from TAC meetings, but the subject is debatable. No mention was made about Equity members who belong to TAC and refrain from that group is figured to result.

Coast 'Dinner' Claims Going to Arbitration On Equity Technicality

Contest over salary claims of actors in the Coast company of 'The Man Who Came to Dinner,' which went off in San Francisco because of Alexander Woolcott's illness, will probably go to arbitration. Cost claims it should be paid a week's salary in lieu of closing notice, but show's producers, Sam H. Harris, contends that, since Woolcott was a featured player, he is not liable under Equity's rules. It is the first time that Harris has ever been involved in salary claims.

Equity's claim appears to be technical. The managers ordered the show closed after one performance with an understanding only after consulting Equity officers, who said that when a star or feature player is forced off by illness the players are not entitled to pay other than for performances given. Later Equity examined Woolcott's contract, which did not stipulate that he be featured. This led to the claims being entertained and Harris was advised that a week's salary was due.

Harris is said to have been told: (Continued on page 58)

RAIN CLAUSE HOLDS UP FAIR CONTRACTS

Although basic agreements between actor-union unions for the major shows at the World's Fair were signed, most individual contracts with the various attractions have not been consummated. Point in discussion pertains to performances called off because of rain or inclement weather and payment only the alterations.

Liability to pay when such cancellations are made would apply only to performances in addition to the 22 regularly scheduled for all shows involved, that meaning three daily and four on Saturdays and Sundays. There is to get \$1 more per performance beyond 22, with added vote to extras.

Last season, if players reported within 30 minutes before curtain time and no show was given, they were paid. The half-hour condition has been dropped and this season, if the show starts and is then called off, there shall be no deduction of pay, even if money is refunded to the audience. Minimum pay for three days would be \$40 weekly.

'Raindrops on Parade,' after freezing out its competitors, announced that the spectacle will not open until May 25.

Film Names Sought, but Not Being Found by Strawhats

Strawhats this summer are facing a dearth of playable new Broadway hits and a shortage of strong local office names. Less than half a dozen Broadway successes of the last two seasons are likely to be done in the summer stock circuit, while there isn't a single top Hollywood name available. Male names, even with a film reputation, are in demand. Only adequate supply appears to be female names from legit, but even there the difficulty is that likely vehicles are scarce.

Several factors appear to be responsible for the shortage of recent Broadway stars. For one thing, comedies are generally figured better than dramas for stock company presentation, but comedy stars are nearly always sought by Hollywood and, after the picture version is released,

are dead for legit for several years afterward. For another thing, the single-act, small-run successes most in demand for summer stock are the kind of shows that are best for regular road engagements, so the original management usually collect most of the out-of-town profits on extended tours. That frequently keeps the stock rights off the market until the play is some or less dated.

All Want Names

Shortage of top names seems mostly due to the growing demand for the Broadway and film names on a circuit-act bill has become almost universal in the summer circuit in recent seasons, and the supply of players simply isn't large enough to go around. Top prices for the (Continued on page 58)

HEPBURN BEST IN CHI AT \$20,000

Chicago, May 7.

One show closed Saturday (4), another moved out of town on the same day and yesterday (Monday) the Grand reopened with "Mighty Joe Young." Public was the local trend of an all-around swing season of Gilbert & Sullivan, tagged "Tropical Paradise." Tried it at some house, the Grand Southern, that housed Federal Project's "Swing Mikado," but the "Mighty Joe" crowd couldn't hold out long enough until the show might have caught on, as did the previous G.A.S. production.

Reopening the long was "Mighty Joe" after 11 months in the mammoth Auditorium. Play was saved financially by added help of American Theatre Society subscriptions. No show was given April 18 due to Miss Leigh's laryngitis.

Real ruin mark of the town is still being held by Philadelphia Story, starring Katharine Hepburn. "Little Foxes" picked up at the Selwyn because of fine notices and word-of-mouth.

Estimates for Last Week
"Life With Father," Blackstone (10th week) (1,200; \$2.75). Fine money show still profitable at \$12,500 last week.

"Little Fanny," Selwyn (2d week) (1,800; \$2.75). Started mildly and improved last week, with general momentum steadily increasing. Rated \$12,000.

"New Who Came to Dinner," Harris (10th week) (1,200; \$2.75). Making substantial profit week after week and continues to hold to around \$12,000.

"Philadelphia Story," Selwyn (3d week) (1,800; \$2.75). Leading the town and price evidently an determinant here. Crept above \$12,000.

"Mighty Joe Young," Auditorium (3d and final week) (4,000; \$2.50). Had a 17-day stay locally, but needed A.T.S. subscription backing to get audience of decent size. Missed one performance last week due to Miss Leigh's indisposition. Took \$12,000 for finale.

ADDED
"Tropical Paradise," Grand Northern (2d and final week) (1,200; \$1.50). Faded after three weeks of struggle and weak trade.

'WILDE' SLIN \$2,500, 'PEOPLE' \$6,000, IN L.A.

Los Angeles, May 7.

Legit is struggling along this week, with the downtown Baltimore clustered until Maurice Evans re-light (4) with 16 days of "Richard III."

"Meet the People" continues to draw excellently at the Hollywood Playhouse, garnering better than \$1,000 last season, while "Our Wild" is holding out at El Capitan, where it is in an outright rental, probably another season \$2,500 the past week.

Evans Pulls Big \$9,000 In 4 Twin City Shows

Minneapolis, May 7.

Maurice Evans in "King Richard III," last week grosses approximately \$2,000, big, at 2,200-seat Lyceum at \$2.75 top for two nights and a matinee—around \$2,000 less than his takings at the same house in a three-performance "Hamlet" engagement two months ago. A single night at the St. Paul Auditorium yielded an estimated hefty \$2,500.

Legit season ends with Raymond Maury in "Abe Lincoln in Illinois" May 24-25.

\$12,000 to \$15,000.

Milwaukee, May 7.

Unpredictable as this town is, where show business is concerned, it certainly does go for the Maurice Evans and Shakespearean drama combination.

Although this star was here only last February in "Hamlet" and grossed slightly more than \$12,000 in four performances, he came back last week (20) to the 1,200-seat Division Theatre for a three-day repeat in "King Richard III" and, at \$2.50 top, added over the \$12,000 mark, according to estimates.

'Count's' U.S. Tryout

Cleveland, May 7.

"I Killed the Count," new musical play by Alex Coppel, is being tried out by Play House's civic rep players, who press it tonight (Tuesday). Weekend piece had a run in London, but never reached any American stage before.

Local Cleveland Show Hurts 'Henry,' \$9,000

Cleveland, May 7.

"Springtime for Henry," the Hanna's last production of season, was valued at approximately \$10,000 for eight performances by too much spring last week and by sales emphasis placed on current home-town musical revue (1939) "Down in Front." Letter to an annual institution by the Hanna Club, weekly luncheon's organization, which has been putting on similar shows for 25 years.

Advance ticket sales on it was so strong that the Howard Everett Horton show suffered. Although Carl Hanna's house was open only two-and-a-half weeks out of the last 10, it came out in the March on 70% of the season's plays, according to owner.

'GRASS' HIGH \$20,000 IN HUB

Boston, May 7.

"Keep Off the Grass" closed up in its first seven performances here last week and remains through this week and maybe a third for shaping up before Broadway. Garnered approximately \$20,000 in the opening week, with a \$2.25 top on opening night, and \$2.25 top for balance of run. Commensal of press comment was that the new musical has the talent, but that the book material needed condensation and elimination in spots. That is why the show will stay at least two weeks.

Edward Everett Horton, in "Springtime for Henry," opened Monday (4) for two weeks. "Hold on to Your Hats," new musical starring Al Jolson, is penciled in for tryout soon.

Plays Abroad

Continued from page 14.

NEW FACES

Public as it was to the "what" first-night audience, is a question.

Those who stand out are Charles Hartrey, Betty Ann Davies, Bill Fraser and Joe Gail. There's apparently a dull moment. Show opened up in London, but when it gets going at top speed and is edited, there will be little with which is not fault.

UP AND DOING

London, April 22.

Seven to two parts 120 minutes; David Hughes, Peter, Augustus, Richard, Thomas, James, Richard, George, William, Phil, John, Louis, and Richard. Hughes, Davies and Reynolds. Hughes, Thomas, James, Richard, George, William, Phil, John, Louis, and Richard. Hughes, Davies and Reynolds. Hughes, Thomas, James, Richard, George, William, Phil, John, Louis, and Richard. Hughes, Davies and Reynolds.

Plenty of tightening of the material, especially the sketches, is needed for this, the first review in which Leslie Henson has ever appeared. Show continues three hours.

First half superior to the second in that the skills and smugness after the interval are prolonged unnecessarily. Twenty-five to 30 minutes deleted would make this probably the best review current in London. It has a wealth of material plus an exceptionally competent cast. In addition, memory and customer are artistic and grand goes for lighting.

Henson and Blumie Hale are the particularly bright spots. They should be. Henson's cleverness in his storytelling and Miss Hale's burlesque dance are high spots, though in need of editing. Cyril Richard continues to show promise of becoming a musical comedy star. He started this premier some half dozen years ago, but never quite seems to have made the grade.

Then there are Stanley Holloway, Patricia Burke and a company capable of interpreting minor roles effectively. All this is suggested by Carroll Gibbons' orchestra, which gives brilliant musical support.

'Strangler Fig' Poor \$3,300 in Balto Tryout

Baltimore, May 7.

Last week, "The Strangler Fig," musical by John Stephen Strang and Edith Meyer, tried out at the Maryland to mild critical and poor audience response, garnering an estimated \$3,300 for its efforts at a \$2.25 top. Brought total of last weeks for current season to 23 at against 12 last year.

Gradually waning season of first here has one more looking listed in "It's a Girl" by Joseph L. Rockman, featuring Lulu McConnell, and William Kent, due for a pre-Broadway grant May 12 at the Maryland.

Current Road Shows (Week of May 8)

"Abe Lincoln in Illinois" (Raymond Maury)—Curtain, San Francisco.
"Keep Off the Grass" (Jimmy Durante, Ray Bolger)—Shubert, Boston.
"Big Top" (Paul Muni)—Geary, San Francisco.

"Life With Father" (Lillian Gish)—Marble, Chicago.
"Little Fanny" (Tallulah Bankhead)—Selwyn, Chicago.

"Louisiana Purchase" (Vera Zayna, Victor Moore, William Gaxton)—National, Washington.

"New Who Came to Dinner" (Clifton Webb)—Harris, Chicago.

"Mighty Joe Young"—Grand Opera House, Chicago.

"Meet the People"—Playhouse, Hollywood.

"No Time for Comedy" (Katherine Cornell)—Adams, Providence (R).
"Majestic, Broadway (1-11).

"Shear Wild"—El Capitan, Hollywood.

"Philadelphia Story" (Katherine Hepburn)—Erlanger, Chicago.

"Return of the Vagabond" (George M. Cohan)—Nixon, Pittsburgh.

"Richard III" (Maurice Evans)—Metropolitan Auditorium, Kansas City (4).
"Bitter, Los Angeles (4-11).

"Springtime for Henry" (Edward Everett Horton)—Wilbur, Boston.

"Tolens Road" (John Barlow)—Cox, Detroit.

Cohan's 'Vagabond' Fair \$11,500 in Washington

Washington, May 7.

George M. Cohan, who was at Cag's only left house last fall in ill-fated "Madame Will You Walk," returned last week for a second try in his own play, "Return of the Vagabond." Reviews were good and \$2.25 was too steep a top for non-musical. As a result it got only 100 seats in week following for approximately \$11,500, fair.

Current in Louisiana Purchase, new Berlin-Ryland-Dillwyn musical with Victor Moore, William Gaxton, Zerkow and Irene Bordent. It will wind up season for National.

Inside Stuff—Legit

First-nighters at "There Shall Be No Night," at the Alvin, N. Y., remarked upon the unique playwrighting technique employed by the author, Robert E. Sherwood. About half-way through the first act the leading character, a Finnish scientist played by Alfred Lunt, broadcasts a talk to the U. S. It's an exposition of the Nazi policy of barbarism and, like the those dated in the opening of a symphony, expresses the author's underlying idea for the play. Also like the composer's theme in a symphony, it is developed through the ensuing two acts. So far as is known, it's the first time such a method had been used.

Sherwood's speech was obviously an expression of the playwright's faith, and it held the audience spellbound. Performance is generally regarded as one of the best in Lunt's career.

A reply to the recent cynicism on what's wrong with the theatre will be carried in the June issue of the Official Journal of local N.Y. New York musicians' union. It was written by Jacob Rosenfeld, president of the local. He chides actors, producers, directors and theatre owners for blaming the stage unions and their leaders because seeking a living wage. Article claims most of what was printed is a "great mass of lies."

Frank Gilmore was criticized for his criticism of unions in the same monthly mag. The comment on the fact that he is head of the Associated Actors and Artists of America, in itself a union.

He spoke as a member of Equity, but it was not clear to those of the latter body how Gilmore could dissociate himself from the First A's to digress on a controversial subject.

Old-timers on Broadway are laughing at Sam A. Serlin's visit last week to Robert Campbell, who is recuperating from a hip fracture at the Lenox Hill hospital. When Serlin entered the room Campbell belted: "No sympathy, no sympathy," adding some of his pet words. Serlin, using similar terms, assured the patient that he had come to find out if Campbell wanted him to make final arrangements.

When last seen, Campbell was in a wheel chair smoking one of Serlin's black cigars. Laffer is treasurer of the Actors Fund and the patient is its secretary. Both are well up in their seventies.

Recently the Theatre Authority advised the various theatrical guilds and charities that \$1,000 was available, to be divided among those organizations for relief work. Not generally known that two other bodies are theoretically in on the split. When TA splits the "dividend," 75% goes to the guilds, while 25% is split evenly between the League of New York Theatres and the Dramatists Guild.

Neither is believed to have accepted such monies, that being definitely true in far as the managers' League is concerned. League invariably advises TA to send the money, in this instance \$1,000, in a stage charity it designates, or some other theatrical organization it need.

Reason for William Saroyan juggling the magazine Time in his "Love's Old Sweet Song," which opened at the Plymouth, N. Y., last week, came back some months during the engagement of the author's "The Time of Your Life," which had moved from the Booth to the Guild Theatre. Mag wanted to interview the writer, who blithely remarked that it was worth \$1,000.

Time's press agent and an interviewee from Time called on Saroyan at the Guild and lunch was suggested. Author chose a little eating place nearby. He enjoyed the report, but the agent claim the food was so spicy they couldn't finish the stuff.

Newman's agency, N. Y., which was compensated for two weeks by the ticket code's enforcement board, is now getting regular assignments from legal theatres. Agency resigned from the Associated Theatre Ticket Association, when those fifteen independent bookers changed their mind about "striking."

The Newman office, however, did not withdraw its signatory to the code. There have been no recent charges of code violations.

'Night, B'way's New Drama Leader, Gets \$23,000; Biz Off, But 'Higher,' 'DuBarry,' \$27,000, 'Hellz,' 24G, Big

Estimates for Last Week

Key: C—comedy; D—drama; B—business; M—musical; F—farce; O—operetta.

"DuBarry Was a Lady," 40th St. (10th week) (3,500; \$2.25). Took off last week along with "Hellz," grossed approximately \$27,000; about tied for leadership with "High and Drier."

"Gey Farm," Hudson (1st week) (1,000; \$2.25). Opened Friday, drew distinctly adverse notices and chance quite doubtful.

"Sincerely Express," National, Witherspoon Saturday after two and one half weeks; rated under \$1,000; "The Return of the Vagabond" with George M. Cohan follows next week.

"Wollapoppin'," Winter Garden (1st week) (1,500; \$2.25). Did up in the chips and slated to continue through summer; went off like others; virtually \$1,000.

"Wicker and Wicker," Shubert (1st week) (1,500; \$2.25). Not complete sell-out, but as good as anything in town for now; somewhat off with others; \$1,000.

"Ladies in Retirement," Miller (1st week) (1,000; \$2.25). Miller heads to excellent patronage and likely to be summer player, too; rated well over \$1,000, which was under normal.

"Lady in Waiting," Book (1st week) (1,000; \$2.25). Lander set to make her, grade what with comedy strength and good performance; rated over \$1,000 last week.

"Lover's Old Sweet Song," Plymouth (1st week) (1,000; \$2.25). Opened Thursday (3) drawing mixed notices; drew rather good attendance for balance of week; about \$1,000 in two weeks.

"Life With Father," Empire (10th week) (1,000; \$2.25). Not continued as contender for the prize awards, but likely to sustain anything on lot with better than \$1,000 weekly.

"New Who Came to Dinner," Music

Box (10th week) (1,000; \$2.25). Very little affected in office going and again topped the \$10,000 mark; certain summer holdover.

"Mighty Joe Young," Majestic (27th week) (1,000; \$2.25). On early in week, but made strong comeback later and topped the \$10,000 mark again; stay at scale.

"Milk and Honey," New Yorker (1,000; \$2.25). Final and 6th week less a few days; propaganda drama could not climb over \$1,000 mark after first week.

"Morning Star," Longacre (2d week) (1,000; \$2.25). Lowering the scale drew more people, but gross not up to opening act; rated around \$1,000.

"My Dear Children," Selwyn (12th week) (1,000; \$2.25). Western attendance keeping pace around \$1,000; advertised "The Circus" is still in town, what with John Barrymore.

"Out from Under," Baltimore (1,000; \$2.25). Opened Saturday (4) and drew thumbs down from reviewers; chance appear doubtful.

"Separate Rooms," Mansfield (1st week) (1,000; \$2.25). Cut-rating gives this one chance to stay for while; estimated around \$1,000, which is profitable for one-week.

"Skyline," Madison (1st week) (1,000; \$2.25). Although due for road state soon, is still turning weekly profit; approached \$1,000 last week; very good considering the going.

"Sugget," Playhouse. Taken off Saturday after playing three weeks less one night; not very little; \$1,000 with cut rates.

"The Flynne Cohns," Broadhurst (1st week) (1,000; \$2.25). Last two weeks unimproved, could stay longer but for cut reductions; rated over \$1,000.

"The Male Animal," Curt (1st week) (1,000; \$2.25). Again slipped but still figured having a chance for summer stay; around \$1,000 which provides good profit.

"The Stranger Fig," Lyceum (1,000; \$2.25). Presented by William Hays; written by Edith Meyer; production opened Monday (4) in week prior.

"There Shall Be No Night," Alvin (1st week) (1,000; \$2.25). Broadway's newest sensation; strong gross; mostly sales throughout initial week with takings around \$1,000; would be bigger but for Theatre Guild subscriptions.

"To What End Shall I Carry on?" Was slated to open this week, but after tryout performances set back for two weeks; maybe longer. Renamed "The Hands of the Clock."

"Tolens Road," Current (1st week) (1,000; \$2.25). Longest playing drama takes a loss now and then, but keeps on going anyway; open looking for fair business; \$1,000.

"The Many Girls," Broadway (10th week) (1,000; \$2.25). Admired all off since scale was halved, but business about the same as first week in new spot; \$1,000.

"Two for the Show," Booth (12th week) (1,000; \$2.25). Intimate revue continues to draw giant audiences and takes weekly profit; last week somewhat off, but stay at \$1,000.

"When We Are Married," Lyceum. Closed Saturday after playing 20 weeks; never got real gross; average around \$1,000 and stayed because of small operation cost.

ADDED

"Lillem," 40th St. (1st week) (1,000; \$2.25). Last week announced; revival did well during early week; stayed to around \$1,000 last week.

"No Time for Comedy," Selwyn, Broadhurst (1st week) (1,000; \$2.25). Over the river date of five days opened Tuesday. It tried with scale under that on road and Broadway.

"Ransom in New York," Little. Closed Saturday after three weeks; too much; played 11 weeks; refugee review ended in red.

"Women and Juliet," First Street (1,000; \$2.25). Shakespearean work with Violet Loh and Laurence Olivier; started on music; Broadway debut Thursday (4).

"Two and Two," Windsor (1st week) (1,000; \$2.25). Last two months unimproved; unimproved; review has been off lately and road figured for better money; \$1,000.

'Purchase' Gets Record \$13,000 in New Haven

New Haven, May 7.

Shubert split with preview of "Louisiana Purchase" after a lengthy review. "Show" was in for four weeks and performance (2-4) and topped away hundreds. Walked off with lower record by impact on estimated \$13,000.

There is dark currently and it may mean season's finale, unless proposed tryout of new Joe Cook show materializes.

Broadway

Jack Robbins back from Miami beach.
Laurie Watson is writing her column.
John Fitch has opened his Wigwag club at Radio City, N. Y.
Frank O'Connor, Collier's war correspondent, visiting in Bermuda.
John and Carly Wharton have taken a summer place at Westport, Conn.
My Gardner, ex-Billy Rose p.a., still in Park West hospital with a strep empyema.
Alfred Harding, who narrowly missed pneumonia, back at his Bronx office.
Phil Chang is from the Coast on a dicker to write the score for a Broadway musical.
Mrs. Joe Bryan, 3d, wife of the late Senator, apparently all back from a rest cure, fully recovered.
Sidney Furmont, Lewis's head vaudeville booker, leaves Friday (10) for his first vacation on the Coast.
Margery Sherry, who wrote "Lady in Waiting" (Book), returned to England to serve as air-raid warden.
Myron Selznick, delay in New York last Friday (11), delayed on the Coast, and trip east now indefinite.
Bill Robinson opening a month at clubhouse home in Los Angeles. Due on one radio program before returning.
Lola Bauer, western story editor of RKO, on the Coast concluding with Harry Belafonte, company's production chief.
Joe Louis, Jr., hospitalized with appendicitis. Operated on yesterday (Tuesday) in St. Clair hospital and doing OK.
Carl Fisher, general manager for George Abbott, and Mary Mann (Mrs. Fisher) opening a week at Williamsburg, Va.
Harvey Thorne is a put-over audience for theatricals, even the rehearsal at the World's Fair on Sunday (8) slaying him.
Warner Bros. will hold its annual cruise for employees June 18. Ralph Budd is chairman of the committee on arrangements.
Maxine Golden was a luncheon men for 24 hours, long enough to be in and out of a sub-and-ridge restaurant idea at the World's Fair.
Nat Wolf, RKO's theatre division manager, in N. Y. from his Cleveland headquarters for home office business on next season's product.
Courtland Mark, son of the late Max Mark, brother of the Broadway and Brooklyn Strand theatres, engaged to Ida Schwartz of Albany.
Donald Flannery commencing tour to coast. Third trip in three weeks or so, off again today (Wednesday) for Hollywood. His and pleasure.
Denny Kaye closes May 12 at La Montague, in space the 23d at the Riviera, Jersey roadhouse. Martini-que chosen for the summer around June 1.
Neil Coward and Beatrice Lilla to n.c. the Allied Relief Ball at the Hotel Astor Friday (10), proceeds to various British and French war benefits.
Al Christie back in New York trying to line up a production deal. Understood if financing obtainable, he may release through Franklyn Warner's Fine Arts group.
Cyril Hager flew to the Coast last week for his daughter Mary's wedding in between riding at the Diamond Horseshoe, and opening at the N. Y. Fair's Bertie's Coast on Saturday (11).
Arthur Murray and John R. Andrew are trading the square-dance as the next big new American bid. They have brought spotted to demonstrate it's simpler than the Big Apple for mass consumption.
Fred Allen, interviewing the "where" at First exhibit, commented upon demolition of the Soviet Russian building, quipped, "Now that they've got the Red out of the fair, maybe they can get the fair out of the red."

Pittsburgh

By Hal Cohen

It's a big at the Bob Waddell. He's a former Carnegie Tech football coach.
Dance Betty Krane and her radio-writer hubby have called it quits after a year.
Johnny Harris played out for Coast Sunday (11) accompanied by Gene Aubrey.
Mother of Cy Hagerford, Pittsburgh cartoonist, died after operation last week.
Ben Robinson dropped off here for a day on his way to the Coast from New York.
Orla Moore going to the Hotel Somerset, Duncannon, Pa., for the summer season.
Betty Brantley, the dancer, running around all right in a local home after operation.
Bobby Clark came to town with check of his Wayne King radio show to see Bob of pit.
Y. Flannery will wind up season late this month with Fanny Brice's "The Play's the Thing."
Eugene Miller has grabbed a common-law singing engagement with a N. Y. World's Fair show.
Milton Eagle, of Film Row, and Sylvia Brudell, Philly, have announced their engagement.
Bob Clark, Pa.'s former ad sales manager here, is travelling the territory with company's salesmen.
Stanley granted work certificate

Max Adkins week's leave of absence to leave Pitt Cap and Gown show.
Father of Amy Berlinger, of dance team of Sydney and Ames, passed away few days ago after long illness.
Defunct Harlem Casino's John L. Clark has hooked on to his capacity with Homestead Grays baseball team.
William D. Davis, Triangle theatre manager, reaping from nervous breakdown at Washington, Pa., sanatorium.
Pauline Bauman, 18-year-old high school girl, grabbed \$100 prize and Stanley appearance in Phil Spitzday audition.
Doris Levant, daughter of Harry Levant and his first wife, Pearl Eaton, back to Hollywood after visiting relatives.
Sara Ann McCade went directly from engagement with Guy Lombardo here in Hurricane. Broadway's newest widow.
Neville Houghton is town for few days, gathering material on book about theatre he's writing under a Rockefeller grant.

Hollywood

By Mabel Thomas

Bette Davis received tremendous reception upon arrival.
Bob Taylor, publicity chief at Warner, here for two weeks.
"Time" (M-G) showing one week at the Waldorf, starting May 11.
Robert G. Hoffner, Deane manager of Norfolk, Va., waiting for a month.
Len Ross opened office here for Patrice in conjunction with Fox-Pacific press.
Dorothy Lamour made two personal calls of the Typhoons during her nine-day stay.
The Ben Ingram decided to remain here for lengthy stay, cancelling the Java trip.
Russell Mitchell slipped in en route to Manila, returns shortly for a month's vacation.

Pix Radio Yen

Continued from page 1

very exploitation streamlined to a story.
M-G's \$21,000 Package
Metrix's proposal is the runt of the lot, excepting Greta Garbo and Norma Shearer, as a package with a price tag of \$21,000 a week. All that kind of coin it must perform to an hour show.
Studio is determined to get back on the air. In testimony thereof it has announced withdrawal of July Garland from Bob Hope's Popcorn show at conclusion of current season and will hold her for its own entry. Another bait for a tale will be Tony Martin, whose contract signed last week calls for an appearance on the M-G show but allows him to continue with his Elroy program.
Any sale by M-G-Fox won't necessarily be a complete studio package. Understood that Darryl Zanuck is willing to place any proposal from a sponsor that sounds interesting. Giffel recently announced that it has earmarked \$400,000 for radio exploitation of its pictures. In the event of a sponsored deal much of that money will be utilized to publicize the radio group and individual programs.

EA Encyclo-Cameras

United Artists group of independent producers have of a sudden become all-minded and will have a battle in the gray law. Clare Oswald, now associated with Hal Lewy, has been rounded out on the radio subject and on his recommendations sent their next move. Instead it one of the veterans of radio, having recently departed Young & Rubicam for a whirl at the picture trick.

Orchs Pick Pix

Continued from page 1

"Heaven" to "Orchid" followed opening of negotiations to sell the former film to the Music Hall for showing this summer. Deal on the film has not yet been closed, but anticipated that it will be.
Paramount has agreed to play Tucker either July 2 or 10, probably former date, and is guaranteeing him \$20,000 for three weeks as against Brand's \$45,000 for four. However, Pat is not designating the picture that will come in with him. Management does not yet know what film will be available for early in July. It may be "Count Breckinridge" Ben Hope carrier. Fox theatre projected organization during the past week to buy two outside pictures. "My Favorite Wife" (RKO) and "Doctor Fate & Wife" (Columbia) but has now called the latter off.

London

Henry Dink off to Spain on loan.
Gloria Fennel taking new address in Berwick street.
Jerry Freeman, general manager of Anglo-American Films, off to New York.
William Mullins has play in which he would like Marie Tinselt to star.
Eric Bess, young looking champ, married to actress Wendy Kistner in London.
Peter Hamilton has a play in which he wants to star (there's Lynn Frank Collier and himself).
Jack O'Hanlon, prize agent, secured a judgment against Terence de Marney for £100.
Sam Smith, head of British Lion Films, next Kaisergraph Secretary Society's president.
Spencer Flower, vice-chairman of the Shakespeare Memorial theatre, Shrewsbury-Avon, left £10,000.
Special performance of the new musical, "The Silver Palace," given to troops on leave at the New Theatre.
Jane McNeill, daughter of theatrical manager Fred McNeill, married actor John Morrison Hally at Highbury.
George Black lined up a top-notch team of stars for this year's Royal Variety Performance, which, however, lacked royal patronage owing to the war.
Robert Graham, for past six years personal rep of Herbert Wilton, and in charge of publicity and exploitation, has been appointed by Jack Hylton as his press agent.
In an effort to counteract the evils of cheap bottle parties and illegal night haunts, the authorities are experimenting with granting extended drinking hours in reputable restaurants.
Captain Harold Hamilton, book publisher, married Countess Polivichina of Rome at Carlton Hotel, London. He married Jean Forbes-Robertson in 1938, and later divorced her.
Oscar Deutch has changed the names of the three Paramount theatres in Manchester, Leeds and Newcastle to Odens. The other four, part of the seven he purchased from Paramount, stay as the Astors.
Gaumont-British and B&B Fox are on the pitch, with former refusing to touch B&B product. Result is B&B has switched to Odens, and has already booked seven pictures with latter including "Grapes of Wrath."
John Drinkwater's "Abraham Lincoln" closed at the Westminster Apollo 11 days. It will also see the end of the London Mark theatre, which for the past 18 months has been staging Shakespeare, Shaw, Priestley and Eugene O'Neill on a temporary basis at the Westminster.
Yiddly Carr, head of United Artists, back from provincial survey, reports business is exceptionally good, and in no spot is it below 18% of previous. In some spots it is even better than previous. All the more surprising considering over 1,500,000 men and women have joined the forces, with B&G already serving overseas.
O'Brien, Limit & Dunlop trying out at Birmingham and Oxford eight new plays, for a week's run apiece, and West End stars being sent up to appear in them. Amongst the players are Leslie Banks, Gordon Barker, Constance Cummings, Joyce Barbour, Elizabeth Allen, Alfred Drayton, Robertson Hare, Adrienne Allen and Judy Kelly.

Paris

By Joseph B. Ravetto

Mistagwell at front to entertain troops.
Fred Bala, European NBC head, is from London.
Frank Farley, Fox newsreil writer, and wife in from London.
Bob Kane, B&B-Fox, and wife in Paris, arriving on Clipper.
Ben Higgins (B&B-Fox) back to harness after a look-in in States.
Canadian Francine Tropey back in Paris after Balkan and Near East tour.
Producer Jean Marie Spenser (impulsively) married to Paul Gienne.
Fanny Fernand de Deletré reached 10th performance at Folies Royal today.
Mande ex Artine Co. just completed propaganda part, "White Book Yellow Book Nazi Orange."
Lionel Nearing, 38, author, dramatist, lawyer and member Paris municipal council, is dead.
Pat d'Arenis, and d'Emmich (The French, Ma Troubadour), by R. H. Tivara, premiered at Odéon.
Propaganda piece "Geylapi" is being played by Jean Deville, portrayed indignantly for ungiven reasons.
Francine Bessy to have lead role in "Les Gardiennes," adapted from Ernest Perschon's novel of the same name.
Henri Duvic started "Coup de Foudre" (Lightning) with wife Danielle Darrieux and Georges Blais as leads.
Paul Reynaud expressed wish to see "Panther," but French cinema proved adamant and refused to release plot for premiere.
"Histoire de Riv" moved from Madeleine to Michodiere theatre, after more than 126 performances.

to make way for new play to format house.
Jean Paul, publicity chief for Grig Films, and cheap Jean Brand married, former getting special leave from front for honeymoon.
Bob Montgomery underwritten in between Richard Herrick and Stefan Zweig at Marigny theatre on Comedians of an American.
Captain Beaumont, British writer, brought English-speaking rights to Armand Salacré, 50, writer, "Histoire de Riv."
Loudy Lawrence's (M-G) next Jerry Field expecting happy third. Holiday Arthur Field is in short at adding last M-G in Paris.
Claude Luce back from Capri unable to convince British consular authorities to give her visa and working permit for England.
Complete performance of Russian ballet given by members of Ballet Russe de Monte Carlo for soldiers' family benefit at Hart Casino.
Léon Verneuil's "Fautisme" with Gaby Morlay and Victor Francen, going straight after 122 performances at Bouffes-Parisiens.
Elles Bouvet, Deane Freeman's "They Were 13 Women", with that many women in cast, premiered at Le Francine to raise funds for soldiers' cinema.
French cinema circles mourning death of Cardinal Verdier, considered great friend of the industry and one of the rare westerners of the red hat to act in film.
Jeanine Baker and Maurice Chevalier off to London in early June to participate in show organized by George Raby to aid British and French war charities.
Col. Baldwin Webb, member of British Parliament and connected with British film industry, equipped 22 ambulances which he gave to French army in Germany at the front, Paris.
Lucienne Boyer, Agnes Capel, Edith Piaf, Len Marique, Lys Gally, Fred and others performed at makeshift gala for unemployed artists' luncheon fund (one from luncheon) at the Tivoli.
John Ringling North, who is to marry French girl, Germaine Aubert, in New York, is visiting Irene Marks with an aerial since later introduced two during Ringling Bros. head's last trip to Europe.
Jack Hylton and his boys, Gracie Fields, Maurice Chevalier and others appeared in Franco-British soldiers' benefit at Opéra, with all Paris present, including Ambassador William Salter and President and Mrs. Lebrun.
Military march contest organized by Billy Goldie concluded at ABC night show with four numbers presented out of more than 1,000 submitted. Judges Robert Trébor and José Germain, evening ballets submitted.

N. Y. Fair

Continued from page 1

there isn't even a remote possibility of the expo going a third year; that a deal is set and irreversible for the territory to be turned into a park in '41. Some of the fair showmen, however, are of the opinion that a third year holdover can be made possible if this year's attendance is as big or bigger than last year.
A 1938 Fair Fee
From inside sources it was learned last week that the Fair's attendance in '38 might have been 10,000,000 better had not the board of directors turned down a proposition from the American Express Co. for that many admissions at 10c each. The board refused to cut the admission scale from 15c, even for as huge a block. American Express then handled tickets only for the railroad companies, disposing of 10,000 odd, instead of including Fair admissions in its own block.
American Express this year is arranging complete tours of the Fair, including dinner along with the admission, and is presently negotiating a block-ticket deal with the Fair, the total of which had not been determined up to yesterday (Tuesday).
Whether he's ever practiced in his own land is not known, but he started off in good form at Douglas dinner, with the remark that the rest of the guests, not wanting to look heathen, followed suit. Seven: 45 wretched quaffing cups.
Star, who only a couple of days before opened his new restaurant, now doesn't like to be reminded of any cookery bids. He still bears the usual of cringing glass, no matter where he goes. Douglas married Pauline (Jere) Higgins, a model, in Greenwich (Conn.) the same night.

Pink Champagne

Continued from page 1

place at the Tenth Star's 1st street salary, when "Barn" Jack Krandler, supporter in the El Club, remembered an old Ernest Lubbock custom to break champagne glasses after a toast.
Whether he's ever practiced in his own land is not known, but he started off in good form at Douglas dinner, with the remark that the rest of the guests, not wanting to look heathen, followed suit. Seven: 45 wretched quaffing cups.
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Hollywood

Ben Fish is hospital for a check-up.
Mel Robins joined RKO publicity staff.
Delores Del Ray out of the hospital.
Joan Marney laid up with throat infection.
Alfred Kandel laid up after tooth extractions.
Beverly Lurie granted divorce from Oona Hardy.
Bill Robinson returned after a year's absence.
Donald Arlen to the Mayo clinic for a check-up.
M. A. Fennelby is from home to another studio.
Bob O'Donnell back to Dallas after -radio tour.
Friedrich Bader in his Virginia farm to finish a novel.
Ziggy Elman divorced by Blanche George Finkelstein.
Charles Boyer and Pat Patterson back from Broadway.
Melvyn Douglas resigned from State Relief Commission.
Jack Carson and Kay M. Germaine will be married in August.
Chuck Caslow back at Republic as head of the still department.
Peter Moros joined Guy Bates Fort Theatre Arts as instructor.
Tom Holt and Frederick Crawford heading after spins from horses.
Morley Collins and Paul Wilton turned news agency partnership.
Cathy Bowman on a six-week tour of the South Seas and Orient.
Terry Buckley joined the John McCrackin agency as radio contact.
Milton Fickman in from New York to look after theatre dates for Ted Lewis.
Lawrence Butler is from London to join Alexander Barba's production setup.
Eber von Kautsky is now chief of the story department at the Lew Erwin agency.
Herman Rubin resigned as executive production manager of National Screen Service.
Frank Capra and Robert Riskin hiding out in the mountains to work out a screen play.
Lester Orbach is from New York hunting talent for John J. Wildberg's New Jersey streetball.
Diane Corday fled out for an accounting of the earnings of her former husband, Stan Jones.
Mark Miller and, ahead of personally by Bob Hope and Tony Martin in Chicago and New York.

New Haven

By Harold M. Bess

Broken set for Arena may 13-15.
Whitney, new night, had been featuring Joe Miller week.
Havin back amusement park opens with number of new attractions.
Norman Randall has been located to Lew Schaefer's assistant at Fair.
Sal Dillman back on familiar ground as film assistant manager.
Nearby Muskogee House Pharmacy spelling summer stock with names.
Gus Myers made music chief in charge of Loew's New England country venue.
Law Harmon will present Clinton stretched for Alexander Kirkland this summer.
Richard F. Donovan will married Oona David Stanley Smith of Yale Music School, who retires in June.
Yale Music School presenting "The Agony" May 11-13, with William Lyon Phelps delivering the introduction.
In for "Louisiana Purchase" debut at the Shubert were Bert Wheeler, Milton Berlin, the George Jessel, the Jack Rogers, Huey Crews, Larry Hart, Mary Brian, Ruby Elmer, Elaine Goldberg and a total contingent of 200 from Broadway.

Chicago

Charles Smith of NBC sticks around in for quick rounds.
Lou Levy, Leeds music head, in for battle with local rep. Archie Layton.
Tommy Rockwell taking hand situation and mulling couple of hand orchestra details.
Helen Jensen passed here on way to Purdue, where she jammed piano-music Auditorium.
Mayor Edward Kelly has proclaimed week of May 8 as "Music Appreciation Week."

Philadelphia

Warner Club will hold annual dinner-dance at Cedarbrook Country Club May 10.
"Archie and Little Jimmy," father and son musical team, have joined WCAU artists staff.
John F. Sears, local FBI chief, to guest on Jim Harvey's KYW weekly camera club broadcast.
Tamara, currently working at Jack Lynch's, will be guest at Philip Morris' Nine o'Clock Scholers' Friday (10) on WIP.
Jay R. Joseph, reporter and reviewer for the Evening Bulletin, has joined the Bureau Alvin Harold to write a daily gossip column. Sheet is in English language.

OBITUARIES

MRS. EDWARD COMPTON

Mrs. Edward Compton, 62, American-born actress and mother of Fay Compton, British stage and screen player, and novelist Constance McManis, died May 4 at the Theatre Girls' Club in London, a home for needy chorus girls of which she was founder and president.

Mrs. Compton, who appeared on the stage as Virginia Bateman, was the daughter of Col. Edward Bateman, a London producer. Her father is reported to have been the discoverer of the celebrated British actor, Sir Henry Irving. She made her debut when but 13 years old in "Little Daisy," produced at Her Majesty's Theatre, London, in 1885.

Widow of Edward Compton, the son of Henry Compton, a famous English tragedian, her theatrical career was confined entirely to Britain. Her husband founded a travelling stock company and upon his death Mrs. Compton took charge of the organization, assuming leading roles both in provincial and London appearances. She also had parts in the first Shakespearean film and had played upon numerous with Sir Henry Irving and Sir Beerbolton Tren.

She retired about 12 years ago to devote most of her time to charity interests. Of her five children, four turned to the theatre for their careers and the fifth to the novels.

WILLIAM E. BEEVES

William E. (Billy) Beeves, 64, pioneer Maine film exhibitor and manager of the Strand Theatre, Portland, until 1921, died Thursday (3) in his Cape Elizabeth, Me., home.

Long a close friend and business associate of the late Hiram Abrams, Beeves shared with the latter the direction of the old Portland theatre, later taking over the management of the Big Nickel, which was Abrams' last coming venture. When Beeves' operations brought out Abrams' local interests and built the Strand on the city's site, Beeves was retained as manager. Since his retirement from show business nine years ago, Beeves had been running a novelty game outfit.

Widow, son, sister and two brothers survive.

EVEL WATTS MUMFORD

Mrs. Evel Watts Mumford Grant, playwright and author, known professionally as Evel Watts Mumford, died May 3 in a New York private sanatorium.

Born in New York, Mrs. Grant was an art student at the Julian Academy, Paris, but turned to writing at the beginning of the century. In addition to several novels and books of verse, she wrote such plays as "The Sonnet," "His Majesty the Queen," "Easy Money" and a dramatization of a story by Nora Wilson Pulman entitled "A Day to Smile."

Surviving are a son, George Mumford of New York, and a brother, Samuel Hughes Watts of New Canaan, Conn.

MARK (MAX) MARSHALL

Mark (Max) Marshall, 34, Cincinnati branch manager for Republic Pictures since 1931, died May 3 in that city. During the past year he suffered from a heart ailment, but remained at his post until several weeks ago.

Previously, he was a salesman for Republic, also for Monogram, United Artists and Educational in Clary territory. Belong to Variety Club, Test No. 2.

FLORENCE A. P. GILBERT

Mrs. Florence A. P. Gilbert, 78, singer of light opera and musical comedy, who retired 23 years ago, died May 3 at the home of her son, Victor E. Gilbert, in Medford, Mass. She was the widow of James Gilbert, director and producer of musical revues at the turn of the century. Her husband, who died in 1913, had staged many Boston productions and was famed as the original Dick Deadeye in Gilbert and Sullivan's "H. M. S. Pinafore."

GEORGE CURCK

George Curck, 55, former manager of the Broadway Strand theatre, died in Detroit of a heart attack April 28. He leaves two sons. He was stricken suddenly while driving his auto.

SIDNEY HAYES

Sidney Hayes, 73, stage and screen actor, died May 2 in Beverly Hills, Cal. He was a Shakespearean actor 30 years ago and later turned to

vaudeville with his wife in an Irish act billed as Hayes and Hayes.

He had lived in Hollywood 23 years, working occasionally in pictures. Surviving are his widow, a son and daughter.

HARRY F. THORNDAL

Harry F. Thorndal, more than 40 years ago an European stage director, but recently living at the Ohio Masonic home, Springfield, O., died of a heart ailment recently. For years he toured the U. S. as a magician under the name of Bailey. Burial in Lorain, O.

HERBERT C. SOUTHRAND

Herbert C. Southrand, 41, assistant general manager of WCAP, Fort Worth, died April 23 in a Fort Worth hospital after a lingering illness.

Further details in radio service.

FRANK WYMAN

Frank Wyman, 73, former vaude actor, died April 28 at his San Francisco home after a short illness.

ANNA CLEMENTS

Anna Clements, operator of the first motion picture house at Chihuahua, Texas, died there May 1.

THOMAS T. BRYCE

Thomas Tilden Bryce, about 73, actor of Shakespearean roles, died in Mobile, Ala., April 27.

Father, 81, of James F. Gillingham, film exhibitor and formerly general manager for Paul Whiteman, died in New York Thursday (2). He was in the Indian wars, joining the service as a drummer boy in 1874. Later he joined the National Guard of New York and is said to have been the oldest man in the service.

Olga Edwards, 48, wife of Lew Edwards, songwriter, died Monday (4) in a Paterson, N. J., hospital. She was the sister-in-law of Gus Edwards and the aunt of Joan Edwards, singer with Paul Whiteman. Also surviving are five brothers and a sister.

William Beaman, 2, son of Mr. and Mrs. Crayton Beaman, with the late Expedition Show, was drowned at Charlotte, N. C., when he fell into an abandoned rock quarry that contained water.

Barbara Berthelme Elder died April 27 at the Will Rogers Memorial hospital, Saratoga Lake, N. Y. He had been a film salesman. Surviving are widow, son and daughter.

Sneak Previews

Continued from page 2.

legit, with out-of-town tryouts and alterations and adaptations. But stage and screen in this respect have many important differences, especially in their typical audiences. In screen snafus in the Hollywood environs the report cards handed in by audiences indicate how thoroughly wise they have become to this kind of tentative tryouts. Comment falls into professional phrases, studio jargon and expressions picked up from the press reviewers. They often speak knowledge of camera technique, etc., indicating the commentators are not in any sense the "typical" audience which the picture must face when it goes to the boxoffice.

Paterson has snafus several of his pictures, but "Three Smart Girls," his first at Universal, he didn't "breeze," as he says. "Windy Knives and I" were supposed to know how to make a good picture, so we couldn't very well make any admissions implied in a sneak tryout. "Mad About Music," he says, was heart-breaking to some of the top players and some of the early because of sneak reactions—then went out and did fine business. In the sneak it got no laughter at all. That particular audience wasn't in the mood for it.

Works Differently

Sneak on "It's a Date" was responsible for pulling back two scenes previously eliminated. "Dusty Riders Again" was out of synchronization at sneak preview and consequently lost all preliminary value. "Youth Takes a Fling" was snafus four times, favorably, then went out and laid an egg. Paterson says.

In Paterson has come to discount all the elaborate snafus, the sudden appearance of a little group of studio

executives with him under arm, the credulous personal of the report cards written by the "surprised" audience which constitute the snafus in the "snafus territory" where virtually all of them are held.

Making the sneak a chronic condition in the industry has robbed it almost entirely of its diagnostic value. Universal's top producer is convinced.

'Adam's' Bust

Continued from page 1.

his. Boston and Philly have both already turned the project, while Chicago and Detroit are doubtful.

One of the principal things holding down attendance in New York is the heavy tax, Mr. In England it is about 10 percent. Mrs. Paterson Van Kirk, American manager of the exhibition, has said that the tax is the main reason, because of the fear that it will draw much heavy work, and the worst kind. That the resultant publicity will bring a clamor by the cops.

As it is, these coming in are plenty upper-crust. A great number of them, too, are not recognizable as regular gallery-goers, although there are a good number recognizable as the mummy in art-lovers. Others are undoubtedly women, couple of whom are reported to have examined and required first-aid following the initial glimpse.

Galleries have been rented for six weeks for the exhibition with two weeks' additional option, which will be picked up if other dates aren't available. Weight of the skeleton version of the first man, about 200 lbs., is also causing against it in obtaining bookings as it requires a gallery with a well-ventilated floor. Twelve bronze busts of ordinary size comprise the remainder of the exhibit.

MARRIAGES

Eileen Palmer to Les Tremayne, in Chicago, May 1. Both are radio performers.

Mary Martell to Lou Harris, in Urbana, O., April 28. Bride is assistant to Blackstone, the magician; he's manager of the Fairbanks theatre, Springfield, O.

Julie E. Berman to Arthur E. Stern, in Pittsburgh, May 2. She's mother of Pamela E. Berman, M-G producer.

Marge Ester to George Ande, in Oklahoma City, April 28. Bride is with KOMA; he's band leader.

Billy Sweet to Frank Kellom, in Yuma, Ariz., May 4. Bride is film player; he's general manager of L. Wolfe Gilbert comic publishing firm in Hollywood.

Mary Alyce Whitlock to Larry West, in Hollywood, May 4. He is radio technician for KSPQ, San Francisco.

Dorothy G. Shadrinski to John F. Ingram, April 27, at Northampton, Pa. Mr. WJNY, Buffalo, music director.

Mary Martin to Richard Halfday, in Las Vegas, Nev., May 3. Bride is stage and screen player; he's Paramount Coast story editor.

Heidi Diller to Michael Han, in Asheville, N. C., May 4. Bride is singer on WLW-WBAL, Charleston; he's newscaster on same station.

Arturo Judge to James McKinley Bryant, which they claim took place "somewhere in Kentucky" May 1. She's the film actress, the recently divorced wife of sportswoman Dan Topping; he's a hotel exec.

Pauline ("Joni") Higgins to Paul Douglas, May 3, at Greenwich, Conn. Bride is a model; he's a radio announcer.

BIRTHS

Mr. and Mrs. James Elliott, son, in Hollywood, April 28. Father is a screen actor; mother was Gertrude Dorkin of films.

Mr. and Mrs. Earl Paterson, son, in Portland, Ore., April 28. Father is technician at KEE-SDW.

Mr. and Mrs. Harold Glass, son, May 3 in Los Angeles. Father operates Gordon theatre there.

Mr. and Mrs. Richmond Dunn, son, in Hollywood, May 1. Father is stand-in for Robert Taylor.

Mr. and Mrs. Bert Lettner, daughter, in New York, April 28. Father is WHN, New York, official.

Mr. and Mrs. Edward Lindsay Hagg, son, in New York, May 1. Mother is film actress Geraldine Fitzgerald.

Frederick Ballender and Sigmund Krumpolt doing the musical score for "Life With Henry" at Paramount.

Literati

Ed Sullivan's N. Y. Notes

Ed Sullivan, New York News columnist, who first requested that he be switched back to Broadway after three years in Hollywood, is reported to have asked two weeks ago that he be reassigned to the Coast stars. This was refused by Joseph Medill Patterson, publisher, who at the same time clarified the status of who is going to cover what on Broadway for the News. Danton Walker, who has been doing the mainline chatter—much of it borrowed and lifted without credit, incidentally—will continue that routine, while Sullivan is assigned a strictly feature-type pillar.

Sullivan is reported to have been placed on the target by Patterson for "changing his mind" after John Chapman, who starts on the Coast June 1, had already leased his Connecticut home for two years. Patterson is also said to have called Sullivan for embarking on a vaudeville tour without permission, telling the columnist that he was being paid to cover Hollywood from Hollywood, and not from Toledo, Pittsburgh, New York, Washington and other cities where his mill was located. It wound up with Capt. Patterson telling Sullivan what he expected from him when he officially resumes in New York.

Thackery 'Younger' Editor

Ted G. Thackery, who's been with the N. Y. Post for some years in charge of the paper's feature departments, has been tapped to take over the daily. The post had been unfilled since the paper's acquisition by George Backer.

The promotion makes Thackery the youngest top editor of a New York metropolitan daily. He's 38. Despite his youth he's had many high positions in the newspaper field, having served as editor of the Buffalo (N. Y.) Times and the Cleveland Press, city editor of the Oklahoma City Oklahoman and editor and publisher of the Shanghai Evening Post and Mercury.

Davenport Gets Fortune for While Richardson Wood has been named acting managing editor of Fortune Magazine, succeeding Russell W. Davenport, who quit the mag to work for the administration of Wendell L. Willkie as the Republican candidate for the presidency. Wood, who's 36, has been a member of the Fortune staff for about three years and previously was with Knopf, the book publisher.

Leave-taking of Davenport has its sad point in view of the fact that polls conducted by Fortune have indicated that Roosevelt is almost certain to continue for a third term if running again.

Lee Left to PM

Lee Loh, New York Mirror photographer who took the now well-known shot of the laughing kitten between two puppies in a non-overexposed pet show, has left the job to go over to PM's staff under Margaret Bourke-White. Loh got a bonus of only \$100 from the Mirror for the photo, although the job is reported to have sold \$2,000 copies at 10c each.

Photo, which has been widely published, including a spread in Life magazine, is now on sale in the Waldworth store through an arrangement with the Mirror.

PM, via Cecelia Ager, film editor, lined up Barney Oldfield, Lincoln (Neb.) Journal and Star's motion picture editor, to do a weekly column from the hinterlands on how various plays are going.

Idea is to compare New York with the provinces.

A LE Snafu on Databook

What has long been accepted as a mere formality took place this week with the announcement of the Pulitzer Prize to John Steinbeck for his "Grapes of Wrath" as the best American novel for the past year. Steinbeck, who was fired from a newspaper in New York some years ago because, the editor told him, "he couldn't write," has been on the best-seller list since his "Tortilla Flat." Latter is a novel dealing with the California migratory workers, and was followed subsequently by "Of Mice and Men" and "Grapes," both of which have been turned into h. o. successes by film and which also deal with the same theme. The Pulitzer prize comes with a \$2,500 award for journalism as well.

Other Pulitzer prize: William Saroyan, best play, "Time of Your

Life." Carl Sandburg, history, for his "Abraham Lincoln: The War Years." Ray Hammond, biography, "Washington: Life and Letters." Mark Van Doren, poetry, "Collected Poems." The following are the Journalism awards: Waterbury (Conn.) Republican and American, public service; Otto D. Patterson, N. Y. Times, best work by a foreign correspondent; Bart Howard, St. Louis Post-Dispatch, distinguished editorial writing; S. Burton Heath, N. Y. World-Telegram, best reporting; and Edmund Duffy, Baltimore Sun, best cartoon.

Gilbert's Vaude History

First complete history of vaudeville, product of research over a number of years by Douglas Gilbert, N. Y. World-Telegram staff writer, will be published early in the fall by Whittney House under the title of "American Vaudeville: Its Life and Times."

Book traces the history of vaude from its hey half days of the "Oh through its decline. It contains much material never before in print and will be liberally illustrated with lots of old-time arts, reproductions of handbills and quotations from scripts of bygone eras.

LITERATI OBITUARIES

T. S. Davidson, 81, manager of the special service departments of the United Feature Syndicate, and called down of syndicate men, died April 28 in New York. His first syndicate experience was with the old N. Y. Herald, after serving as the paper's editorial staff under James Gordon Bennett.

Seawards Franklin Irvine, 77, third editor of the Portland (Ore.) Oregon Journal, died May 1 in that city. He was owner and editor of the Corvallis (Ore.) Times from 1880 to 1884, when he joined the Oregon Journal as an editorial writer. Although he had by then lost his sight, he rose to the position of editor.

Ralph E. Gahan, 47, general manager of the Cincinnati Enquirer, died Thursday (3) in that city after a brief illness. He previously served on the Washington News and the Cincinnati Post.

Walter Benthams, 44, formerly magazine editor of the N. Y. Sun and cable editor of the old N. Y. Herald, died Sunday (3) in San Francisco. He retired from active service with the San Francisco Examiner eight years ago after having also served on the Chicago Tribune and Seattle Times.

CRATERS

Will Wilde, Cond mag writer, quit for indefinite stay.

Heard dropped Ted Cook's column after 18 years.

Leland Brown is doing a book on the war for Knopf.

Everett Ruess has gone to Nova Scotia for the summer.

John Jennings back from South America with material for a new book.

Richard Wright is in Mexico, fighting off insects as he is to be able to do another book.

Alvin Glasco signed to do a kind of Richard Brailey Sheridan, who authored "The River."

Samuel Glapwell, who's been wintering in New York, returns to Provincetown, Mass., next month.

Norman W. Redfern, the N. Y. Times war expert, peried by Whittney House for a book on fighting ships.

John B. Hersey, who's one of the contributing editors of Time, has taken a bride, the former Frances Cannon.

Annual convention of the American Bookdealers' Assn. opens at the Hotel Pennsylvania, N. Y., next Sunday (12).

Ida A. R. Wylie has acquired an estate near Princeton, and is making it over into one of those English country places.

Francine Flindley, who will have a new novel published soon, used to appear in the Balloons plays before turning to writing.

Clarence Buckingham Railroad spending a period at Dartmouth College to give the students some pointers on how to scribble best-selling fiction.

A first novel by Robert Wilder, who was reporter for the New York Sun, and entitled "God Has a Long Face," is being published by Putnam.

Achmed Abdollik, whose life story was Jean Wick, the literary agent, has wed again. New Mrs. Abdollik is the former Mrs. Maryann J. Dink.

Two Lovely "Star" Complexions that get ACTIVE-LATHER care

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THESE FACIALS screen stars use are so quick—so easy! Pat the generous Lux Toilet Soap lather into your skin—rinse with warm water—then a dash of cool. Pat lightly to dry. Now your face feels smooth—looks so fresh, too. Screen stars love these facials because Lux Toilet Soap's ACTIVE lather removes dust, dirt, stale cosmetics *thoroughly*—helps skin to stay soft and beautiful. Try ACTIVE-LATHER FACIALS regularly. You'll find they really work—give your skin gentle, protecting care.

"LOVELY SKIN WINS!
I ALWAYS USE LUX
TOILET SOAP FOR
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FACIALS. THEY LEAVE
MY SKIN FEELING SO
SMOOTH AND SOFT"

"I ALWAYS USE LUX
SOAP. ITS ACTIVE
LATHER HELPS MY
SKIN STAY SO
SMOOTH AND SOFT"

Joan
Blondell

Lana
Turner

Joan
Blondell
Lana Turner

in

Metro-Goldwyn-Mayer's

"TWO GIRLS ON BROADWAY"

Now Showing Locally

Joan Blondell tells you

she uses Lux Toilet Soap regularly because its ACTIVE lather helps skin stay soft and smooth. Why don't you try these cakes and begin your regular Lux Toilet Soap beauty care?

LUX
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out of 10 Screen Stars use Lux Toilet Soap

SCREEN

RADIO

BANDS

STAGE

VARIETY

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IF WAR, U. S. GRABS RADIO

German Music Booms in Milwaukee; During Finn War Sibelius Was Big

By HARRY E. BULLEN

Milwaukee, May 14.

While phonograph record business has been enjoying a boom here, as elsewhere, an unusual local angle is an unprecedented demand for German discs, not only from this city's large population of German descent, but from people of other ancestral nationalities. Jewish buyers of recorded German music are sufficiently numerous to create movements among the dealers, and one sales manager (Confidential) said:

"The Jews are broad-minded enough not to deny themselves music they like just because it happens to be of Teutonic origin, but they insist upon records of only American manufacture. They will not buy records made in Germany at all."

Pop music, popular songs, yodel numbers and quartet vocals in German are all in big demand, and a few typical titles are "Bismarck Petrus," "Du Kamest Nicht Treu Sein," "Komm Sesselst Du zu Lustig," "Wann Ich Gross Bin, Liebe Mutter," and "Fahr Mich in Die Ferne Mein Blonder Mädchen."

Not only in the homes is the German music enjoying popularity, but

(Continued on page 34)

Splinterbugs Now

Milwaukee, May 14.

A splinterbug contest was a novelty introduced here at the Milwaukee Government Stryke League's jamboree at the Auditorium Saturday night 1111. Splinterbug is a jittering without shift.

Exponents of the innovation claim here includes enable them to achieve effects of bullet-like beauty.

COMM'L SHORT GAVE HIM (10G) HEART PAIN

Hollywood, May 13.

Alexander Harkness, operator of Fox West Coast in suburban Glendale, was used yesterday (Monday) for \$25,000 by a patron charging conspiracy to defraud by showing a film "hook up to the universal conception of pure, wholesome entertainment." Picture was a propaganda piece made for the National Association of Manufacturers.

John Miller, the complainant, claims he was obliged to "sit through and suffer torture of witnessing a film called 'Your Town.' He alleges he was 'tired' into the theatre by promise he would witness entertainment, but as a result of seeing 'Your Town,' he developed a leading cardiac condition caused by

(Continued on page 34)

ANNETTE KELLERMAN MAY RETURN TO VAUDE

Sydney, May 14.

Annette Kellerman, after an absence from vaude for years, may shortly return to the field in Australia with a lack act over the Tivoli circuit.

The former star is presently busy in an extended visit from the United States.

Leslie Ostrander's Freak Job as Fair's 'Elmer'

Leslie Ostrander is now actor who will play a job at the New York World's Fair that he never figured on. Fair Corp. commissioned Howard Smith, an artist in design a poster of the annual Aqueduct, Ostrander being

(Continued on page 35)

GOV'T WOULD RUN AIR IMMEDIATELY

Washington, May 14. American Mobilization of Broadcasting Industry From First Moment of Any National Emergency—Say Station Owners Will 'Look Back on Happiness'

ARMY CONTROL

Washington, May 14.

When war comes to the United States—skipping the "if" no most people here do in private conversation—the immediate effect upon the American radio broadcasting industry will probably be drastic in the extreme. Radio listeners express the view that private station operators will "look back on happiness" and shirk of the strict Federal Communications Commission regime of today as fully by comparison with military control.

Attorneys have their fingers crossed, too, as the net effect upon status quo in ownership should Government commandeering of all broadcast facilities become a fact under the M-Day (mobilization) set-up concerning which last week it

(Continued on page 35)

Nostalgic Nitory Show Proves Big Boxoffice; Rose's \$23,281 in 1 Wk.

Billy Rose, who frankly states his showmanship is predicated on only two formulas—nostalgia and novelty—says that the nostalgic has plenty of business. He points to an actual gross of \$23,281.74 for the first full week of his new Diamond Theatre, N. Y., since it opened as financial evidence. This is claimed to be around \$15,000 better than any other night club is currently doing in New York.

As for star or specialty, his Aqueduct show really got started with nostalgia. (Wednesday) premiere, when he's inviting the press for what he feels will be the real show. Last year he didn't start riding until the third week, with a \$80,000 gross. His best week was the second week in October, when he grossed \$125,000, and which was the first week when the Fair went from the \$1.50 gate. The present half-hour tour, he figures, will reflect itself due for all the midway.

May 14. (Continued on page 35)

B'way Par and Strand Keynote Name Band Policy as Vaude's Lifesaver

U. S. Radio Audience

There were 18,577,000 radios of all types sold during 1939 in the United States, according to figures provided by Columbia Broadcasting System via E. H. Caldwell, trade statistician. Including all types of radios, disposable, portable (but not detaching for use out of repair or storage) there may be 40,000,000 radios in America.

Nearly 1,000,000 automobile radio installations have been made.

NAZI INVASIONS CLIP LEGIT, PIX BIZ

Depression along Broadway in the legit that started with the advent of daylight time became intensified during the second week. The decline was most acute Friday 11th following the news that the Nazis had invaded the Low Countries. Saturday saw an improvement, and that's not particularly attributed to the opening of the World's Fair, which opened on that date. Last week's slump was definitely blamed on the Fair.

Business at the ticket agency was particularly weak, with the public's mind evidently turned to other matters than diversion. Many people

(Continued on page 35)

ZUKOR ESTATE INTO A COUNTRY RESORT

Adolph Zukor's estate at New City, N. Y., on the Hudson, is being turned into a miniature country resort, with rooms in the main house available to outsiders on a daily or weekly basis. Around 20 people can be accommodated.

In addition to forming the main house open, the Zukor estate is offering the public the guest house, which has been turned into a restaurant, with a bar, the 18-hole golf course, riding horses, bicycles and a swimming pool.

A Non-Pro 'Mr. America'

A.A.U. (American Athletic Union) always on the stand side in visiting publicity goes in going for one—and good—in a league with the meet at Madison Square Garden, N. Y., May 25.

It's going to finish a multi-glamorous by to be crowned "Mr. America."

The potent headache draught of the same dance bands, it's generally conceded within the trade, is all that has kept vaudeville popular in the last years from virtual extinction. Condition of the variety field itself, with the exception of those few instances when strong film personalities make themselves, is such that the number of b.a. personalities can be counted on the fingers of one hand, if that many.

It has been evidenced more clearly in the past year that straight vaudeville films depends almost entirely on the picture for its results. If the picture is strong, the b.a. is good; if the film is weak, the b.a. is twice as much as they would be without the vaude. Rarely, however, does a name band do really bad business regardless of the film support, and when a strong musical unit is coupled with equally strong vaudeville, the gross is usually in the six-figure brackets.

New York is a classic example of what bands have meant to the industry. An analysis of two top Broadway Broadway houses, the Paramount and Strand, since 1933 and 1939 respectively, clearly illustrates how the musical aggregation

(Continued on page 36)

Gertie Lawrence's Dicks And Fields-Chevalier Pic for Allied Troops

Gertrude Lawrence and Richard Haydn, respective leads in "Sky-lark" and "Two for the Show," are making a series of half-hour transmissions with guest names, to be broadcast by BBC for entertainment of the British troops on the western front. Dicks are being recorded at BBC.

(From Paris herewith is a story of a Gracie Fields-Maurice Chevalier war film being made.)

Stars who have contributed their services for guest shots so far include Harry Richman, Reginald Gardiner, Hilda Grahame and Peggy Wood. Jack Benny, Burns and Allen, Eddie Cassin, Lily Pons and Lawrence Tibbett, who are said to have promised to participate and numerous other names are being sought. Series is to

(Continued on page 36)

JOAN CRAWFORD'S M-G OK TO DO B'WAY PLAY

Joan Crawford, while in New York the last few months, will study mambo with the idea of playing on Broadway. Actress has permission to do a legit, provided she makes the studio by July 1.

Miss Crawford has visited her California home temporarily and is preparing for a Connecticut farm within commuting distance of Broadway.

Del. Nitory's Amateur Contest Brings Out 573 Acts And Big Wk.'s Biz

Detroit, May 13.

The Bowers, Detroit's biggest show and something of a phenomenon in show business with its huge bills, is winding up a startling amateur contest which brought out 573 acts. Originally started to select a winner which would get a week's booking at the spot and financial help toward a career, the amateur contest brought on startling developments which Frank Bowers, the manager, was quick to utilize.

The fact that the earlier elimination still left him with 12 young

(Continued on page 34)

RKO INTERESTED IN CARDINAL HAYES PIC

With the co-operation of St. Patrick's cathedral and the Catholic Church, RKO is interested in making a story around the late Cardinal Patrick Hayes is being written. Reported that RKO will produce the picture.

George Eastman, who has been in pictures and did some work in fighting 40th St. Warriors during the past season, is preparing the story for the late Cardinal in collaboration with Maitre Clement. Both were reporters on the old N. Y. World. They are now in the New Yorking on the script.

Actors' Fund Shows Deficit of \$11,257; Propose Plan to Tap Radio Audiences

Actors' Fund of America, at its annual meeting held Friday (10) at the National, New York, again disclosed an operating deficit. For the first time in many years, Daniel Fichman, who was president, and returned president, did not officiate. Vice-president Walter Vincent having the chair. Fichman will be 60 in August.

That the budget for the coming year calls for \$100,000 at about \$12,000 more than the period just past. Increased unemployment caused by suspension of the federal relief disbursements than all on the ground, deficit amounting to \$11,257.

Ways and means of reducing the fund financially were discussed again, and the proposal of raising money from radio audiences was discussed. Fichman said that if it were possible to collect from each person who attended broadcasts in studios and theaters the problem would be solved. It is estimated that the sum which could be raised from this source each year might fully suffice.

Idea of collecting from radio audiences when first broadcast was raised by the commercial sponsors of the programs, but it is believed that a change of attitude could be won. Suggested that instead of receiving a fee for admission, that such contributions be voluntary.

Fund is allocated a share of the money secured from benefits by the Theatre Authority, the several theatrical guilds and other organizations also sharing. Possibility of the fund getting a larger share is being considered along with a method of re-allocating the dispensing of charity coin. In some quarters it is thought that there is duplication in disbursements to the needy. Fund officials state, however, that it checks with the Stage Relief when requests for aid are questioned.

Legal views are required to play a benefit performance for the fund, that being an equity issue. In addition there is a membership in the fund, but it is strangely small, not over 1,000 paying the dues of \$1 per year. Players assume that no giving their services they are doing their bit. One from the benefits amounted to \$10,527.

Spent \$108,149

Total receipts were \$148,000 and expenditures \$108,149. There were numerous amounts to \$10,300, of which \$1,700 came from the sale of Katherine Cornell's gladiolus while she was in town. Requests amounted to \$14,126, including \$3,317 from the estate of Pearl White. Last year the fund was benefited to a greater extent from such sources, \$10,000 coming from the estate of Henry Dutton.

Over a 52-week period an average of 25 persons, including families, are participants in the disbursements, including the home at Englewood, N. J., which has 27 guests weekly expenditures being around \$1,000. There were 61 burials paid for by the fund, costing from \$110 to \$150 each. But only actors are aided, as the fund's beneficiaries also include the front of the house. This came about some years ago when the late Al Hayman donated \$10,000 to the fund. In addition to aiding the indigent, 25 persons are—

(Continued on page 47)

Prayer Dubbed in as Part Of Par's War Newsreels

Possibly for the first time, a news-reel used a prayer for the major portion of its background narration this week in connection with covering the Nazi invasion of Belgium and Holland. Paramount did the same as the other reels, using literary shots of women and children mentioned in newspaper headlines but Bill Park, making editor, put in a prayer of his own composition, with Richard Gordon reading for the sound track.

Park collected text for this prayer, and also approval, from theologians of three faiths, Catholic, Protestant and Jewish. Newsreel editorial staff pointed it up as 'the American nation seeks guidance from the One True Source left in a shattered world.'

LEDERER'S FID COMEBACK

Hollywood, May 14. Francis Lederer will make his film comeback in 'I Married a Nazi' at RKO-Pix.

Joan Bennett has the female lead.

Ed Wynn's Broadway Comeback This Fall

Ed Wynn will return to the stage after being off the boards for two seasons, as earlier indicated, but his new show is not due until the fall. At that time Al Jolson is also slated for Broadway, although he will start rehearsals late this month and play the road during the summer. 'Kiss Punchin' is the newest title for the Jolson show, previously known as 'Hoot On To Your Hole'.

Wynn has held several auditions lately, but no contracts were issued. Understood he is seeking several names for the supporting cast of the show. One title mentioned for the musical is 'The Funnies.' He has filed corporate papers through his attorney, Sidney Fletcher, for the venture under the title of Laugh Parade, Inc. 'Parade' having been one of Wynn's biggest winners. Indicated that he will produce on his own. Last time out he appeared in 'Flower for Whet,' produced by the Shuberts. Attractions never went to the road.

Kramer Agency Must Turn Over Its Commish On Reg Denny to Small

Los Angeles, May 14.

Earl Kramer agency was ordered to turn over to the Small Co. all the commissions it collected from Reginald Denny for one year, under a ruling by the arbitration board appointed by the Screen Actors Guild and Artists Managers Guild.

Denny discharged the Small Co. in April, 1938, but the board decided the discharge was without sufficient cause, and reinstated the agency's managerial contract, which runs until next autumn. Commission paid to Kramer during the disputed period were declared the rightful property of the Small Co. Decision will be taken to the Superior Court for confirmation.

MEMPHIS GETS BIG SAPOLIO—'N' HOW!

Memphis, May 14.

This town is undergoing the most drastic view cleanup in all its history.

Every form of off-ender activity from church-sanctioned binges to the red-light district is on the run. Nobody knows why, but the village has gone lily white with a vengeance.

The huge games were first to go. Police Commissioner Joe Boyle issued formal notice to all the current games that they must close May 7. They did, leaving literally thousands of regular players back into the lap of their business.

Gambling houses of a more permanent nature, dice games in hotels and such were next. A series of quick raids drove the boys to cover. Fugitive game where the houses of shady fame had to shut. Some 21 known spots were immediately shuttered. The girls were escorted out of town. Police kept track of the madams in one that they did not get up shop somewhere else. Gambling and hotel bellhops' moral suggestions' excited presciently. Slot machines and chance vending devices have disappeared even from the private clubs.

Officially no reason has been given except the police statement that 'we are enforcing the law.' But actually the cause is the subject of much speculation throughout the south. Memphis having long been a town where a limited amount of high life was allowed to prosper. One report is that the Federal government has been looking the town over quietly and the local Congress political machine decided to clean house rather than risk a lynch with Uncle Sam. Whatever the cause, the town's self-appointed greasers are plenty perturbed, what with the Shrine Convention, biggest conclave of them all, booked here for early June and the Dixie Carnival on this week.

Wrathful Author Indeed

Twelve Garden died last Monday (13) in U. S. Supreme court for \$2,150,000 damages against 200 Century-Fox Film, Jules Steinhilber, Viking Press, Inc. and Pencil Civil Action involves 'The Dragnet of Wrath.'

No complaint was placed on file, but it is understood that Garden claims to have written the original version of the story.

WAR LOTTERY UNLIKELY IN CANADA

Montreal, May 14.

Reports emanating from the Dominion capital are to the effect that the Government has received a proposal to run a lottery designed to build Canada's \$100,000,000 first year war chest. However this is deemed unlikely, at least for the time being.

Understanding in that system was offered without charge by U. S. patent owner and would be based on a sweepstakes plan involving World Series baseball games, important U. S. football matches and International League baseball games.

Though plan could conceivably yield a revenue of \$200,000,000 annually, it is considered improbable that the Government would permit a lottery to the extent of such a sweeping sweepstakes legal.

Several measures advancing legislation of sweepstakes in Canada have been introduced in the past without success. In one instance a bill along these lines was approved in the Senate and defeated in the House of Commons.

Question at this time, however, is whether exigencies of war will bring about change in hitherto uncompromising attitude of Premier King and majority of his Ministers.

TOO WARM FOR MAY IN H'WOOD

Hollywood, May 14.

Southern California put on its own version of 'Very Warm for May,' resulting in heavy dew on thimble brows and added production costs dripping all over the film studios.

Business went on as usual on the air-conditioned sound stages, but the hardy 10-gallon-battery on the back lots had to come in out of the sun. Weather bureau called it the hottest mid-May in 17 years. Merit climbed to 85.

Mary Pickford's \$1,500 Prize for Can. Service

Toronto, May 14.

From its playing at New York from here, where Audrey Ruth Rogers was fulfilling his bond engagement, Mary Pickford turned over to the Canadian Red Cross a gold medal bag sprinkled with diamonds and sapphires and valued at \$1,500. It will be the top prize at a draw, details of which are not immediately completed. It was a contribution for the soldiers of my own country, Canada, said Miss Pickford. Toronto is her home town.

Prize follows that of Katharine Cornell, Ruth Draper, Tallulah Bankhead, et al, who have made contributions, monetary or otherwise, to the Canadian Red Cross.

Agent Beats Purcell

Los Angeles, May 14.

Cosley-Ulman agency won \$200 award in branch-of-contrast competition against Dick Purcell, film agent.

Came was decided by an arbitration committee working under the franchise agreement between Screen Actors Guild and Artists Managers Guild.

Herbert Marshall's U.S. Tax Victory A Break for Foreign Actors in Calif.

Washington, May 14.

Fred Allen (Texaco) Will Oppose Cantor

Deal between Texaco and Fred Allen may be closed by Friday (17). The account has been discussing terms with the radio and the matter of a fall starting date and program details are yet to be settled.

If the proposition goes through Allen will be competing next fall with Eddie Cantor, who has been contracted by Bristol-Myers as Allen's successor, and it will be the first time in eight years that Allen has broadcast on CBS. NBC has undertaken to retain him for Hall by offering Texaco a Thursday evening hour but the latter considers the time too early for midwest audiences and requiring a broadcast for the coast which currently doesn't prevail. Texaco will also settle by the end of this week the question of getting in a summer show.

Texaco would call the fall show 'Fred Allen's Five-star Theatre' and interpolate a dramatic spot with guest English film names.

Flynn's Commish Coin Mounts While Court Waits on Decision

Los Angeles, May 14.

Superior Court is still holding 10% of Errol Flynn's \$1,000-a-week salary in the triangular case involving the actor, the Myron Selznick agency and the Warner studio. To date the amount impounded is approximately \$18,000, with a prospect of reaching \$20,000 by the time the suit comes to trial.

Flynn's suit before the State Labor Commissioner seeks to terminate his representation contract with Selznick. Warners recently entered an interpleader, asking the court what to do with the accumulated representation. Judge Ernest H. Wilson decided to hold the money until the commission settles the case.

RKO'S RABINOVITCH PIC WITH DARRIEUX

Paris, May 14.

A deal between Gregor Rabinovitch, French film producer, and RKO has been made calling for the latter to control the world releasing rights to a British-produced film which Rabinovitch is planning to make in September, with Danielle Darrieux in the female lead.

Male lead, American, and director not yet selected. The picture's French version will be started next month in France. Title not set.

'Love Thy Neighbor' Tag For Benny-Allen Film

Hollywood, May 14.

Jack Benny-Fred Allen picture will be filmed at Paramount under the title, 'Love Thy Neighbor,' starting early in July. Mary Martin furnishes the heart interest and Mark Sandrich is slated as producer and director.

Allen and his radio troupe move west to broadcast from the NBC studio here June 12, 19 and 24.

SAILINGS

May 11 (New York to Genoa) Collette D'Arville. H. B. Kieckhefer, Virgil Pickley, Byron Price, Glenn Melvin Stadler, Lloyd Lehman (Rex).

May 18 (New York to London). Mr. and Mrs. John Abbott (Britannia).

ARRIVALS

Germane Ames, Sir Thomas Benham, William L. White, Mr. and Mrs. Edwin Dash, Jack Harris, Robert Schless, Ben Cammack, Princess Baglioni, Reginald Armour, Mrs. Alfred Blumhagen, Dr. Max Jordan.

Coward's Week in H'wood; Pix Rights to Old Plays

Naft Coward planned in the Coast Monday night (13), to be gone about a week. Understood he has a number of tentative offers for film rights to some of his material and also may confer with several people regarding appearances in the fall in a Broadway show of his authorship.

He's due to Clippert back to England about June 1 and will then go to Paris, where he's concerned with the British intelligence service. He arrived in the U. S. two weeks ago.

L. A. to N. Y.

Edward Arnold.
David Blackthorn.
Bill Brown.
Mel Brown.
Louise Campbell.
Madeline Carroll.
Smyrill Cohen.
Michael Curtis.
Bud Deppert.
Bunny Dull.
Alice Faye.
Byron Haskin.
Walter Hampden.
Julian Johnson.
Bills Johnson.
Ray Jordan.
Sam Katz.
Annie Katselane.
Anahel Litrak.
Sol Lowry.
E. Barrett McCormick.
Dudley Nichols.
Arth Olander.
H. Peter Rathvon.
James Ransford.
J. Walter Rubin.
Ann Rutherford.
George J. Schaefer.
Len L. Schaefer.
Joseph M. Schenck.
Ashwood Seal.
Jack Skirball.
Seymour Sklar.
Morris W. Shoff.
Howard Strickling.
Norma Talmadge.
Spencer Tracy.
Robert Wilson.

N. Y. to L. A.

John Barrymore.
Lawton Campbell.
Naft Coward.
Charles E. Freeman.
Bill Goetz.
Mack Gordon.
James B. Granger.
Stanley Johnson.
Marjorie Merkin.
Mildred Natwick.
Robert W. Orr.
Sid Wurtzel.
Dorothy F. Zeman.

INDIES SWARM OVER H'WOOD

Shirley Temple Mulling Radio Bids Heretofore Barred When With 20th

Shirley Temple's talk from 20th-Fox in no way portends the mogul player's departure from show business. Deals for commercial radio programs and recordings, which her exclusive Fox pact prevented her from accepting, are now being given over. Probability is that she will have a term for commercial air show which will include a couple of weeks in addition to a deal to make a film during 1941.

One of the most sought after of Hollywood names by radio advertisers, Shirley has been the recipient of a new flood of offers since the ending of the confining 20th pact was confirmed on Sunday (12). Following Vowett's initial story last week, several other studios also put in letters for her services, as did the New York Fair.

Frank Grunwald, Shirley's agent, said in New York Monday (12) that no offer of work, except radio, prior to 1941, will be considered. She will be ready for air appearances in November or December, he declared.

Future deal will be accepted for no more than one a year or three in two years and only on one-picture contracts. Mopett's parents, also, to say such arrangement, will reserve the right to approve the story. They feel that some selection of material for the kid by 20th would be possible given her record via suffered and sustained her career with the company.

Mother and father of Shirley are against personal appearances for (Continued on page 42)

Janet Does 60-Min. Routine on His Third Of Century in Theatre

Philadelphia, May 12. Opening at Jack Lynch's Wallingford here last night (Monday), coinciding with the new Irvin Berlin-B. G. Duffly musical, "Louisiana Purchase," George Janet turned his premiere into a nostalgic show his discolor. Starting off in regulation manner, he opened the response from the cheerful professional contingent present as well that the comedian spilled more than an hour on his third-of-a-century in the American South.

It was actually a break-in of the routine for the "banquet circuit" which Janet will tour, as an after-dinner speaker, and also as a lecturer on the concert platform, under CBS auspices in the fall.

Janet's talk reviewed the trends and changes in more than 50 years of show biz.

Although overcautious management and press agent had advised her to avoid Mr. and Mrs. Janet, his bride, the former Lois Andrews, is currently on the Coast where she looks over the former Jack Diamond-Smith Taylor house on Los Feliz hill. They may or may not go to Hawaii for a belated honeymoon, but that's in the talk stage.

Janet stated that he finished his writing, "It Shouldn't Happen to a Dog" last year, and ended on the "banquet" time of his life with Burns Talmadge. Since remarried, it requires addenda and editing.

Lynch's place was filled to capacity, much of the crowd consisting of the first-nighters attending the opening of "Purchase". Among the regulars were Irving Berlin, Victor Moore, William Gaxton, Zerkow and George Ballouche.

Dabbling in (Raw) Stock

Hollywood, May 14. Walter Lane and Lew Wertheimer, whose money partners, are branching out into the raw stock film business as representatives of the Smith & Katz Dupont company.

Agents in selling film to the studio in addition to actors, directors and writers.

'Lone Ranger' Angle

San Diego, May 14. Jim Dillon, NBC program director on a bus, sat behind two Negro boys just out of Sunday school.

"What," asked the smallest, "is God?" The other reflected a moment, then earnestly answered, "Well, God is something like 'The Lone Ranger'."

OPEN FORUM ON PROPAGANDA IN PIX

San Diego, May 14. Suspicion of public regarding propagandistic activities of films was revealed in questions hurled at Gerald Gallagher, city manager for Fox West Coast, at open forum on "Propaganda in Action" here (13). Gallagher was asked to represent views in panel including literary, press and radio reps.

"Why aren't Wall street gangsters shown as the villains instead of just gangsters?" was typical question shot at showman. He parried it by a laugh by pointing out that nobody can understand a gunman holding up a bank but if you show a man disarming and even the guys who do it would understand which would hardly be entertainment.

"How much stock do producers own in distributors?" demanded another. Gallagher answered with statement that exhibitors have long protested drinking wine and that they are now being limited. This drew applause.

Gallagher, in a few off-handed comments, said there was no danger of anyone propagandizing because the public won't tolerate it. He cited the demonstration against "Love Hot Wings" and said, "I hope I never have to go through anything like that again."

Showman demonstrated with facts and figures how American films (Continued on page 18)

Welles Will Produce Five Mercury Shows Yearly on the Coast

Los Angeles, May 14. Orson Welles is putting on a Pacific Coast version of the Mercury theatre under the corporate title of United Productions, designed to produce five stage shows a year in the west coastal area, beginning in October. Directors, in addition to Welles, are John Houseman and Herman J. Mankiewicz.

New company will cooperate with Mercury, with the western outfit supplying two productions per year.

DAVE ELMAN SUES WB OVER 'HOBBY' SHOW-PIX

Suit of Dave Elman against Warner Bros. and National Screen Service, Inc., was filed Monday (12) in N. Y. supreme court. Action involves Elman's "Hobby Lobby" and the Warner film, "Everybody's Hobby," claimed to be a libel on Elman's radio program.

Elman claims to have submitted his show to Warner, and also claims unfair competition with the intent of depriving the public late believing the two are identical. An accounting and damages is sought.

RENTAL STUDIOS' CAPACITY LOADS

New Outfits Back Up Overnight, Fight for Space—Major Releases, Bank Coin Easy to Promote—\$4,000 Daily Tap by Goldwyn

WHAT OF N. Y.?

By BOB NOAK

Hollywood, May 14. Ancient law of supply and demand may yet be the master of helping Mayor LeComber put off his post-mortem, in which he has been appearing ever since the Hollywood crowd turned an icy eye on his demand that a portion of American filmmaking be shifted into the New York area. With the birth rate in the indie production field currently surpassing that of rabbits, the housing situation has suddenly reached a point where there are no longer enough sound stage roofs to shelter 'em all.

Behind a day passes now without another picture organization, and most of them are legitimate, touting its chapters into the arena. Major distributor relations are as easy to shatter as glass.

Jack Forrester in U. S. To See Marlene on Pact 'She's Trying to Breach'

Paris, May 5. Jack Forrester, American producer in France, is on the warpath for Marlene Dietrich's pact, with the actress seemingly unable to make up her mind whether she should fulfill a contract to make a pic in Europe for Forrester-Parsons Co., return a \$24,000 advance which he made to her, or neither.

Forrester, who returned to Paris last week after a month's visit in Rome, where he saw various government officials connected with the film industry, is calling for the States via Geneva and will immediately hit the trail for Hollywood and Marlene Dietrich when he reaches New York.

Difficulties involved in producing the film here were: First, its bad theme, film thus being banned by French censors; secondly, a number of technicians, plus director Pierre Chenal and cameraman Kurt Courant, were mobilized (Courant, a German, is in the Foreign Legion), and thirdly, inability of the star's husband, Rudy Steyer, who was injured by the actress, along with the bad fact, to come here to assume a super- (Continued on page 18)

LUCE AND HIS WIFE HAD CLOSE CALL IN EUROPE

Henry R. Luce, chairman of Time, Inc. board, narrowly missed the Nazi bombing of Rotterdam when last Friday (12). Luce and his wife, Clare Booth Luce, playwright, were in The Hague on Thursday (9), leaving that night for Brussels to interview the King of Belgium. This was abandoned, of course, when the invasion by German troops started, and Luce made arrangements to get into France as soon as possible.

Before leaving Brussels, a German bomb fell about 35 yards away from the window in John Duffley's home where they were visiting. They were guests of Duffley, the U. S. ambassador to Belgium. The Luce left Brussels Saturday for France by motor, and only safe in Paris, according to last word received in N. Y.

Luce earlier last week was up in the Maginot Line to get a first-hand impression of the French fortifications. The Luce plan asking from Italy for the U. S. the end of this week.

Streamlined, Showmanly '40 N.Y. Fair Angurs a Successful 2d Year; Midway Especially Good, Foreign Zone Morbid

Fence in Flushing

The Great White Way at the N. Y. World's Fair is much brighter and far less blasted. Last weekend's fair was ruled out. Last weekend's fair was ruled out. Last weekend's fair was ruled out.

Concessionaire hucksters and spotters are on their own. Some are using noise devices to attract attention, but the ears of visitors are not assaulted as the scale that annoyed so many last season.

BURNS-ALLEN SEEM SET ON LIFEBUOY.

Burns and Allen are not renewing with Leda & Fish for the fall. There's a possibility of the same agency, the William Ely Co., selling the team to Lever Bros. for Lifebuoy Soap.

It is understood that in order to hold the time on CBS (Wednesday, 7:30-8 p.m.) for B & A Literary will host a summer picnic.

Gracie's Campaign Speech

Denver, May 14. En route to Omaha where the Gracie Allen for President convention is in progress this week the team of Burns and Allen and its retinue was paraded from the depot to the Denver hotel where Gracie made a campaign speech at a luncheon of 1,300. K.L.C. carried 15 minutes of the speech.

Station gave Gracie a plunk photographed by the staff and she also received a laugh, her political symbol in white the duck and the elephant.

Beery Pleads for His Ex-Chauffeur's Pardon Of a 45-Year Murder Rap

St. Louis, May 14. Wallace Beery last week enlisted aid of Gov. Lloyd Stark to free his former chauffeur, Larry Suddeth, who is facing a stretch in the State big house for murder. En route to New York, Beery stopped at his old home town, Kansas City, believing he could meet the governor. Failing, he journeyed to Jefferson City where he visited Suddeth who served as the Beery family chauffeur for 12 years and was convicted (Continued on page 18)

BACKED BY GUITARS JUDGE RUNS FOR GOV

St. Louis, May 14. Circuit Judge Fred J. Frankenthal of St. Joseph, Mo., last week picked a hillside orchestra to further his aspirations for the Democratic nomination for governor in the August primary election. The judge fired his initial salute in Jefferson City with the mountain band leading out a study of hot stuff and leading in a "hot foot" with the waltzy jangle.

KWOG aired part of the musical program and the judge's critics and public address critics also paraded the music and words to the street, due to an overabundance. The judge intends to stamp the state accompanied by the musical terrorist boys.

With few disappointments outside of the later afternoon and evening inclement weather, the New York World's Fair made its second season's debut Saturday (11) in a most promising fashion. Paid attendance was 124,195, only around 2,000 less than last year's opening day, and the crowds that poured into the amusement zone from noon on exceeded all expectations of the concessionaires. With any break from the weatherman this summer, there should be little need for trying towels in that sector of the Fair.

Besides the mule on the midway, the 1940 Fair shows several improvements. Gone are the taphans and outcrops, with the Fair streamlined and geared down to the masses rather than being a publicity front for a chosen few. Prices are lower right from the gate (10c for adults; 5c for kids) down the line to food and drink. The amusement zone has been reorganized about 25% in its area, but is very attractively lighted this year, dinner-looking and much more diversified in entertainment content. There is a noticeable effort on the part of the showmen involved to give the public its money's worth. There are some shysters, but they are a distinct minority.

Unlike last year's opening day, in fact weeks, most of the midway was operating Saturday. Only major disappointment was Mike Todd's Gay New Orleans village, which, because of incomplete construction work, won't open until Friday (17). Todd's Dancing Campus was also late, not (Continued on page 14)

Marin Folds His Chair At M-G After Six Years

Hollywood, May 14. Edwin L. Marin, director, shakes out at Metro when his contract expires June 1, after six years on the lot.

Current plans call for a vacation before making new contacts.

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U.S. Not Being Panicked Out of Prod. In England Despite Blitzkrieging

Despite dramatic turn of the war abroad over the past weekend, all companies with production units at work in England will continue to work there, a survey of some offices on Monday (13) revealed. General attitude is to allow the status quo to prevail until further cables from British production chiefs clarify events sufficiently to make decisions on whether or not the units should be recalled and plants shut down. Feeling is that work should be allowed to continue until developments show actual invasion of the island.

Edith Massey, general manager of Metro, declared in New York that Ben Hecht, company's English production head, "would continue at work until bombs and parachute troops begin falling on the studios." There is no thought of recalling him as yet, Massey says.

Although Massey and Irving Asher, R-42 producer, called off their articulated trip to England via the Clipper on Monday. Massey stated he may still go. He said he'll remain in New York a week or so to determine whether he can "get any business done" in Britain and, if not, will board another Clipper shortly. Asher returned to the Coast Saturday. Metro's crew just completed its first film since the war began, "Ben Hur's Holiday." Robert Montgomery, who starred in it, is still in London, but is expected back shortly.

Keats Clippings Over
Alexander Keats failed to express the same optimism about the situation as Massey, but left on the Clipper Monday (13). He was planning to place two pictures into production within the next five or six weeks before returning to the U.S. What will happen now, he said before his departure, will be determined by conditions as he finds them. There's a chance, he indicated, of going right ahead with plans, but he was unwilling to speculate until arriving on the scene. If production is possible, he said he is planning to buy "The Green Man" novel by the late John Buchan, for his British unit.

Twentieth-Fox will let its British production staff, under Robert Kane, continue work as long as possible, Joe Minchewitz, New York production rep, declared Monday. He said even if the company have given no consideration as yet to recalling the unit, Warner situation is similar, while RKO has no production staff in England at present. William Fox, recently returned after a survey for the company, and current plan is to await further developments before making a decision on starting work abroad.

European Pix Shortage Insures U.S. Distribution

Shortage of European-made films will insure the continuation of American distribution activities in Europe despite hostilities, according to Reginald Aronson, RKO's European manager, who arrived in N. Y. from Paris Monday (13). He is here for the company's sixth annual sales convention later this month.

Aronson claimed that the two major problems confronting U. S. distributors are shipments and the reorganization of office staffs displaced by mobilizations. He stated that several prior shipments had been lost by RKO when boats bound for Sweden had been sunk.

Holland has been abandoned as a shipping center for Europe since the Nazi invasion, he said. Other companies had been using Holland as a port terminal since the war started but likely will follow the same procedure.

A complete new formula for doing business abroad will become necessary because of the situation in Europe, Aronson stated, but what this will be has not been decided. He will handle with Phil Reisman, foreign chief and vice-president, regarding the changed situation in Europe.

Extend Import Rights Paris, May 1.

While Ministry of Finance officials are still debating on how much money American distributors may export, they have extended import rights on unused picture licenses for the first quarter of 1940. On March 22 bank districts were permitted to withdraw films from customs on first-quarter licenses issued in November. During the week of April 18, upon the protest by the districts (Continued on page 12)

6,000 Miles for Lunch

Long distance work to attend a luncheon is probably being rung up this week by Mary Pickford. She's traveling 6,000 miles by plane having left New York Monday (13) night for the occasion, which will be held this noon (Wednesday) and returning from the Coast shortly tomorrow.

Lunch is being given by a Los Angeles Aid Society, which is honoring a room in a Hollywood Hotel. She is home of Miss Pickford's mother. Honor results from appreciation of work done for the organization by the former screen star.

BRONSTON PLAN HOW NOT TO STALL PROD.

Hollywood, May 14.

Facing directors to put a hand as guarantee they will complete pictures assigned them is the newest Hollywood wrinkle, invented by Samuel Bronston, associated with James Roosevelt in distributing through United Artists.

Explaining the reason for the action, Bronston said, "With the international situation what it is, we can't afford to take chances on having a picture dragged out until such time as the original budget. And if the director is satisfied with all phases of production at the outset, we don't feel it is asking too much to demand guarantees he will finish the job at the stipulated cost."

SELZNICK DROPS SUIT, ENDS FEUD WITH 20TH

Los Angeles, May 14.
Myron Selznick agreed to drop his injunction suit against 20th-Fox, ending a two-year feud that began Feb. 5, 1938, when Joseph M. Selznick barred DeMunnich representative from the Westwood lot.

Suit was lifted after a series of contacts during the past two weeks.

New RKO Common Stock Going on the Big Board

New York Stock Exchange has approved the listing of the new RKO common and preferred shares. Only final approval of the Securities & Exchange Commission, raised a routine matter, remains before actual trading in the new shares will begin. The old common stock will be removed from trading as soon as transactions in the new stock start.

Listing approval order called for 128,170 shares of the new 6% cumulative preferred, with \$100 as par value, and 2,722,000 shares of the new common plus 1,000,000 shares additionally on conversion of the preferred and 2,500,000 additional common upon the exercise of option warrants.

The new common, selling slightly above \$2, and the new preferred, which has been quoted at \$42 recently, has been traded in on the Over-the-Counter market. Basis of exchange under the corporation plan now operating was non-state of a share of new common plus warrants for fractional amounts for each of the old common shares held.

20th's 60C Lot Revamp

Hollywood, May 14.
At 20th-Fox, the studio is spending \$50,000 on the renovation and realignment of operating facilities on the Westwood lot. Quarters are being enlarged for the makeup, wardrobe, still picture and grip departments.

Brennan in Capra's 'Doe'

Hollywood, May 14.
Frank Capra signed Walter Brennan for one of the top supporting parts in "The Life of John Doe," now in preparation at Warners. Filming starts early in June, when Gary Cooper has finished his current shoot at Paramount.

METROITES IN N. Y. FOR REGIONAL SALES MEET

Home office Metro delegation attending the first of four sales regional held on the Coast and the second, at Chicago, Monday (13) and yesterday (Tues.), are due in today (Wed.) for a New York meeting. This will be held Friday and Saturday (15-16), while a fourth is scheduled for Washington Monday-Tuesday (20-21). Group returning from Chicago includes William F. Rodgers, Edward M. Saunders, Howard Davis, Edwin Aaron and Joel Bechler.

Chicago meeting was attended by two district managers, John Flynn, of Detroit, and Harris P. Wolfberg, of Kansas City. Branch managers were Frank J. Downey, Detroit; Frank C. Bresler, Kansas City; Walter E. Baughman, Chicago; Wade W. Willman, Indianapolis; Sam Shorman, Milwaukee; William H. Workman, Minneapolis; Henry A. Friedman, Denver; Dexter C. Kennedy, Des Moines; Harry J. Shuman, Omaha, and John X. Quinn, St. Louis. Salesmen of these branches also were at the Chicago regional.

Metro's Old Combs

Chicago, May 14.
Metro-Goldwyn-Mayer regional regional meeting in the Drake Hotel yesterday (Monday) and today (Tuesday) tonight on a general sales get-together led by William Rodgers, general sales chief.

Only sales chiefs were represented, with Edward Saunders, western sales chief, and his assistant, Joel Bechler, in for the meeting along with Ed Aaron, assistant to Rodgers. Sales groups from Detroit, Indianapolis, Des Moines, Milwaukee, Chicago, Kansas City, Denver, Omaha and St. Louis were in the house.

From here Rodgers flew back to New York for the third of the four regional sales meet and then to Washington for the finale.

'Abe' Pic NSG But Play May Be OK B. O. in Mpls.

Minneapolis, May 14.
Sunday newspapers carried two prominent display ads identical in size, one under the other, for the play and picture, "Abe Lincoln in Illinois." Play is underlined for Lyman May 16-25 and film is currently in its third week at World. World ad for picture asks: "Why pay advanced stage show prices?" It stresses fact that film is adaptation of play and has same cast. Ad for stage attraction emphasizes the "original production" angle.

Film has not been doing so hot, but considerable advance interest is being manifested in the forthcoming play.

80 on WB Talent Roster, Studio's High

Hollywood, May 14.
Latest checkup at Warners disclosed 80 players under contract, the largest number in Burbank history. Studio also carries 44 writers and 14 directors on its roster.

Goetz, Gordon Stay East

Harry M. Goetz and Max Corbin, slated to leave New York for the Coast over the weekend, have delayed their departure indefinitely. They were to discuss their program for RKO release next season. Goetz, instead, went to Washington on what are understood to be tax matters. Gordon's office said he is taking a "two-week vacation."

'ANGEL' HEARS START

Hollywood, May 14.
"I Married An Angel," co-starring Jeanette MacDonald and Nelson Eddy, goes into production June 1 at Metro. Head Stromberg produces.

Increasing Beefs That the Film Business Is Being Run By Lawyers

Hair Crisis

Hollywood, May 14.
War in Europe is causing an expensive hair shortage in the film industry, take it from Clay Campbell, makeup chief at 20th-Fox. Hundreds of sea transportation have hoisted the price of human brains, the bulk of which usually came from the Balkan states.

Some of the visibly thinner on Vine street don't know where their next keeper is coming from.

UA PEACE WITH GOLDWYN SEEN LIKELY

Indications are beginning to point to an ultimate accord between United Artists and Sam Goldwyn, despite the latter's reticence that the whole matter is in the hands of my lawyer, Max D. Silver, and I'm being guided by him strictly.

Goldwyn will be out four weeks or so handling with Edna Ferber on a New York story and other writers, which experts repeated and intensive production activity despite a previous statement he'd rather stall through until 1941, when his contract expires with UA.

Goldwyn re-emphasizes that the essence of the picture business is good production, and distribution is only a vehicle to the market, but he adds, "How important that merchandising is done is something else again."

He recognizes that Murray Silverstone and the entire UA organization have been most cordial and conciliatory, and that there is every inclination to make peace within the organization, of which he's a 20% partner, but the producer quips, "It's all right to try and break you off, but not after they first knock you down."

None the less, his arranging of "The Westerner" at the UA convention currently in N. Y., and his dealings with UA sales execs, seem to indicate peace within the wrap.

Goldwyn Ducks Cam

In the other hand, the producer's actions in regard to scheduled appearances at the UA conventions in New York and Chicago this week were anything but indicative of peace. Silverstone had announced somewhat jubilantly last week that Goldwyn would put in a personal appearance at both meets. Yesterday Goldwyn informed Vancut he would be at neither.

Originally slated to put in his "hello" at the gathering in New York on Monday (12), he refused to come down from the suite he has been occupying at the Waldorf-Astoria in the convention room in the same hotel. Hurriedly sent Harry Gold, eastern sales manager and chairman of the convention; Lynn Farned, pub-ad head of UA, and James Mulvey, Goldwyn's eastern rep, hurrying updates to change the producer's mind. But it was no go.

It was then promised he would appear yesterday (Tuesday), but another announcement from the UA press corps said the p.a. was postponed until the Chicago convention. Shortly afterwards Goldwyn said "no" on.

Meakin's Boy's Show

Washington, May 14.
University of Maryland's annual variety show was written, staged, directed and produced by Leonard Meakin, senior at the university and son of RKO Keith's manager, Harlie Meakin.

Titled, "Boysie Me Out," young Meakin's effort ran three nights attracting attention from the Washington dailies with excellent reviews.

At close of school term plans are being made to send the show into Baltimore, Richmond and Washington.

The film industry is so completely in the hands of lawyers today that extensive, big and small, are speedily representing whether or how anyone dares time to run the business. Cry in this direction is widespread and takes in an amazing number of persons in the film industry whose functions have been interfered with due to legal complications.

Because of the numerous suits, Federal and otherwise, which are harassing the business, it has become necessary to get legal advice on even minor matters because of fear that if that isn't done, the work may be going into the courts.

Theatre operators, managers, buyers, etc., are unable to make deals or even carry out various routine plans without first submitting the same to the lawyers to see if they are within the safety zone. In the past, companies were able to take things in their own hands, create debts, cause negotiations, make changes, and do many other things without going over an attorney. Now in many instances even the simplest of functions are being approved by legal departments first.

Meanwhile, hundreds of individuals in the picture industry have had to take time out due to the U. S. industrial suit and others, a vast amount of defense preparation. Lawyers, records, etc., requiring extra time and expense.

H'WOOD TOURIST BOOM FOR CANADA THIS YEAR

Begins, Sask., May 14.
Hollywood stars, their favorite European playgrounds closed to them by war, are planning to spend their summer holidays in Canada, according to D. Len Duden, director of the Canadian Travel Bureau, Ottawa.

Spencer Tracy, Gary Cooper, Clark Gable and Frank Morgan have told plans for Canadian vacations.

American tourist business this year will have special significance in that it will provide foreign exchange, thus aiding financing of Canadian purchases of war materials in the U. S. Tourist business is now the greatest revenue producing industry in Canada, topping wheat and newspaper exports. Last year, according to estimates, tourists spent \$275,000,000 here. Figure is reported to top \$300,000,000 for 1940. Record for tourist travel was established in 1929 when 21,000,000 visitors came to Canada.

Canadian authorities are working to close cooperation with Chamber of Commerce and Board of Trade to ensure that American will receive a 10% premium on U. S. funds. Theatre and most reputable shops have placed signs on display in prominent places advising visitors that they are entitled to the 10% premium on American money. This is the official rate of exchange. Canadian funds may be converted into American upon payment of a premium of only 11%. Government exchange control authorities disregard the open market fluctuation of Canadian currency. Canadian artists, in paying for American food in U. S. funds, pay only the 10% premium at Canadian banks regardless of the fluctuations on the open market.

Republic's Peak Load

Hollywood, May 14.
Republic production goes into high gear Thursday (16) with four pictures showing off at the same time. These, in addition to "Spartan," which rolled yesterday (Mon.), set the studio in its regularity.

Four new starters are "Cliff Hanger's Country," "Fighting Marshal," "Carolina Moon" and "Carnegie 170 Kid."

Diamond Sues Writer

Los Angeles, May 14.
David Diamond, aged, 54, a complaint against Harold Shumate with the State Labor Commission demanding \$1,200 in compensation of Shumate's earnings at Paramount.

Plaintiff claims he arranged the deal under a verbal representation agreement and wants 10% of the writer's \$1,200 weekly salary for April 8.

EXHIBS' QUALITY WORRY

Wobber Urges Exhibitor Courage And 'Don't Cut Advertising Costs'; Midwest Would K.O. Duals, Up Prices

Breast advertising and exploitation are always the mainstays to put in a strained house budget, exhibitors make the mistake of falling prey to this temptation, Herman Wobber, sales manager of 20th-Fox, declares. When business falls off, Wobber said, the exhibitor with courage increases his \$100 sum for advertising and publicity to \$200 instead of cutting it to \$50.

For ever maintained that he is in complete sympathy and understanding with a hard-pressed house operator who looks over his budget and finds he can't cut rent, he can't cut sales wages and he can only try to cut film rental, as naturally was the case on the promotion items. Difficulty with the house, however, Wobber declared, is that it usually does more injury to future income than the money it saves. Instead of the exhibitor fighting his way out of his difficulty, it merely puts him in deeper.

Wobber lamented further that the habit was not restricted to small operators, but the largest circuits also do exactly the same kind of book-keeping on their budgets. He also pointed out that exploitation does not necessarily mean spending money; that a good idea will often give far greater results than a burst of cash.

On the question of extending runs which Vauxier in recent weeks has put in many districts and exhibitors, Wobber agreed with his colleagues in distribution that theatre operators have not yet scratched the surface in this regard. He declared they put pictures in and pull them out as fast they don't give them a break or a chance to build. He declared exhibitors looking at the first sign of weakness instead of allowing them an opportunity to prove their mettle.

Chi Exhibs See Solution In Elimination of Duals

Chicago, May 14.

Chicago exhibitors, operating under and subsequent run theatres, are unanimous that only through the elimination of double features can more money be brought into the business, which will mean more money for pictures and picture producing companies.

General opinion is that with double features, the first-run houses with the pictures of the vast bulk of available picture stock, so that the subsequent run houses can obtain only a meagre trickle of picture money from which the picture companies can hope for an increase above present revenues.

Double features make it possible for the big first run houses to compile the top pictures of each week and drain the cream and much of the skin from picture revenue, with the lower houses left practically nothing on which to build a paypackage. With single features, the big houses would not be able to exhibit all the top pictures, so that some of these money pictures would manage to get through to the subsequent run houses unscathed, and from these pictures the distributory could obtain a higher revenue than they are now getting.

Lee Schickelmeier, operator of seven midsize houses: "Admission prices could possibly be upped, but not in an existing Chicago condition, especially inasmuch as the smaller neighborhood houses are concerned, where the subsequent houses at present have not enough to offer the public to permit an increase in admission. The only hope of subsequent run houses in Chicago is on the basis that their prices are generally lower than the price theatres. They have nothing else to offer since the first-run houses show the same, and over-

(Continued on page 21)

Powell In 'N'Yawkers'

Hollywood, May 14. Paramount has signed Dick Powell to play the lead in 'The New Yorkers,' formerly titled 'A Cup of Coffee.' Preston Sturges is slated to direct, with Paul Jones producing. Powell recently finished 'I Want a Divorce' on the same lot.

Blumberg's Sales Emphasis on U's 'Bigtime' Status

Atlantic City, May 14. On the ground that the record shows the company is now definitely in the 'bigtime' class and backed by a production program for 1940-41 that will be along ambitious lines, Universal is going out to further increase its number of accounts. Promising important productions and established names as well as picture, authors, etc., it also will seek some terms that lift it to a plane comparable with other majors.

Harry Blumberg, president, stressed before the convention here, one of two to be held, that Universal has stepped from the 'middletime' category.

Brandt, Ford Indie Setup Will Produce 'Scattergood' Series

Hollywood, May 14. Jerry Brandt and Charles E. Ford, indie production team, closed a deal with George J. Schaefer to film a series of 'Scattergood' feature films for RKO release. Brandt is the son of Joseph Brandt, former president of Columbia Pictures, and Ford was formerly managing director of Universal Pictures and executive producer at Republic.

'Scattergood' titles have appeared for years in the American Magazine and on the radio. Brandt and Ford recently bought the screen rights from the author, Clarence Budington Kelland, at a reported price of \$100,000. Producers moved into quarters on the RKO-Palms lot in Culver City.

ZANUCK BACK WEST AFTER N.Y. TESTIMONY

Darryl F. Zanuck, 20th-Fox production head, played back to the Coast Saturday (13) night after six days in New York spent in income tax depositions. He also handled with him cases on production matters.

Sam M. Wartan, 20th-Fox executive producer, who accompanied Zanuck east, and Munnally Johnson, producer and writer for 20th, played west with the house, also Mark Gordon, songwriter, William Goetz, executive assistant to Zanuck, who also came to New York with him, will remain east for several more days.

Morris' 2 via Par

Hollywood, May 14. Boris Morris-Robert Williams, indie producing setup, inked a two-picture releasing deal with Paramount today (Tuesday).

First film will be Arne Skov in 'Beyond Chance' and the next Douglas Fairbanks, Jr., in 'Life of O. Henry.'

CONCERN OVER FOREIGN LOSS

Theatre Owners Privately Recognize European Revenues Cut May Seriously Affect Quantity and Quality of Forthcoming Hollywood Product

PRICE PROBLEM

No matter what they say publicly, exhibitors are privately plenty worried about the quantity and quality of future product because of losses in producers' foreign income and are willing to go to considerable lengths to cooperate in keeping American grosses. That's the statement of an owner of Allied at New Jersey who refused to allow use of his name because he feared the opinion 'unfriendly' from an exhibitor standpoint.

In close contact with the operators of 130 indie houses, the exhibitor leader declares that these members are in dire fear that, if the present situation continues, product by the end of the 1940-41 season will show the results of stiff budgetary cuts. On top of that there's apprehension that the following year will find drastic cutting in the number of films turned out, which will make it go doubly hard if they're of a cheap nature.

To forestall such an eventuality, he declared, exhibitors will probably go further than they care to publicly admit in helping the producers along on revenue standards. Their reluctance at acknowledging this desire to be helpful results, he said, from the fear distributors will jump on any such admission to hike rentals. That's one length to which exhibitors are not prepared to go.

Problem of tipping producer income via the three most generally accepted methods of (1) extending runs, (2) kicking admissions and (3) doing more exploitation has been put to exhibitors and distributors throughout the country by Vauxier during the past few weeks. According to exhibitor viewpoints, increasing grosses by extending runs and increasing exploitation is only a minor possibility, while tipping admissions is entirely out. More opinion from various parts of the U. S. is printed herewith.

H. J. Allied leader differed from a good many other exhibitors in declaring that extending runs is a good possibility if the house operators are properly propositioned on it by the distribut. He limited the possibility, however, to 'certain pictures.' His idea was that to start such efforts should ask exhibitors to promise an extended run on four pictures a year. Which picture he wants to play longer should be left entirely to the exhibitor. It was suggested, except that he might be asked to select one each quarter to prevent hunching at the end of the year.

Raising admissions on certain pictures during the season, as suggested by Samuel Goldwyn and David O. Selznick recently, was called 'impractical' by Allied leader. It automatically relegates all other films to the not-as-hot class and spoils their chances, he argued.

Jan. Roosevelt-Lesser's 'Town' Runoff for F.D.R.

James Roosevelt, who arrived in New York Monday (13) to attend the United Artists convention, returns to the Coast today (Wednesday). Yesterday he accompanied fellow-UA producer, Sam Lesser, to Washington for a screening of Lesser's 'Our Town' for the President at the White House.

Lesser, who also came in N. Y. Monday for the convention, will attend the western division meet in Chicago for the remainder of the week and then go to Boston for the press of 'Our Town.'

Sam Goldwyn Insists a Radical Revision of the Entire Pix Biz Structure Is Needed at This Time

Producers Corp. Berthed

Hollywood, May 14. Producers Corp. of America moved into leased space on the Selznick-International lot to produce a series of musical pictures starring John Charles Thomas.

First production is 'Kingdom Come,' currently being scripted by Karl Brown.

Selznick Not To Sell Any Films Blind Hereafter

Virtually adopting the 'spray-and-pray' angle of the Healy bill, which opposes blockbooking and blind selling, David O. Selznick decided yesterday (Tues.) that henceforth none of his future productions would be sold until exhibitors could view them at trade screenings. It's an extension of Selznick's individual production scheme, excepting that up until now bookings in advance had been accepted and contracts executed.

Producer is committed to the idea that nothing be sold until his pictures are finished. Then both he and his customers (exhibitors) can actually determine their true worth.

Selznick made his new position clear in a talk at the United Artists sales convention in New York. Fellow-UA producer Sam Goldwyn had also declared himself last week in favor of a similar sales program, and is putting it into effect with 'The Westerner,' which goes out in release shortly, also via UA.

Mono Sating Pretty With \$350,000 Loan Plus Highest Income

Hollywood, May 14. Monogram is playing on velvet, with \$350,000 in actual ships, a loan from the Guaranty Trust Co., and the highest income in the history of the company, according to W. Roy Johnston, president, who left for New York after a survey of local conditions.

Outstanding Monogram production for the 1940-41 program is 'Big Van Winkle,' now in preparation at the Tatum studio with a \$100,000 budget. Johnston announced that there would be no change in the studio personnel. Scott E. Dunlap, v.p. in charge of production, has a five-year contract which coincides with Johnston's as pres. Charles F. Bigelow continues as production manager, with William T. Lackey, Grant Withers and Paul Malvern as unit managers, and Ernest Hickson as technical director.

Three Off Wurtzel's Slate For Hubbard

Hollywood, May 14. Loren Hubbard, new associate producer at 20th-Fox, was assigned three pictures formerly slated for Ed Wurtzel's unit. Two are Jane Withers starters and was a 'Twin Kid.'

Hubbard recently helmed 'Sinner of Memory,' his first job on the Westwood lot, and is starting 'The Bride Wore Crutches' this week.

By ARLE GREEN
Sam Goldwyn, who, for obvious reasons, is least inclined to favor blockbooking, being always an individual maker and seller of quality product, is carrying his greatest campaign against block selling still further. Finally, he advocates a radical revision and re-editing of the entire motion picture business, from producing to merchandising.

He feels, in an uncertain street, that a revamp of the entire industry structure is in order, before it's too late. Business is off, and continuing that way. Foreign markets are shrinking with each successive bill.

Goldwyn is reminded of a line in Robert Sherwood's new play, 'There Shall Be No Night,' that 'America had better mind its own shocking business,' and it certainly goes for pictures. Never mind any foreign potential revenue; that should be gravy, as and when it happens.

From what he calls a buyer's market, he can't see the wisdom of a business where it should be a seller's market. He cannot remember himself in the idea that one day any agency might sell a Ford automobile and around the corner, or a few miles away, if you wait two weeks or travel 50 miles, you can buy the same Ford considerably less. It isn't so with movies, and why the picture business shouldn't maintain a certain standard is probably the reason for its general demoralization, or so he thinks.

West Coast Production
He has already expressed himself that instead of 400 pictures a year, the majors should cut it down to 120. He feels that the producers and distributors had better direct their talents to the conclusion that they are producing only for big-city markets. The rest should be secondary.

Only then can the daily-changers in small towns be forced to play pictures three times a week, or maybe even split-weeks. Thus only can prices be forced up, runs extended, quality insured.

Goldwyn responds to the theory that if he were still part of the old Metro-Goldwyn-Mayer setup, and even though Metro had to feel a sort of Luce theories with lots of film, he would still oppose block selling. He points to Metro's 'Gone With the Wind' how quality product can exert upward prices. His own United Artists organization did it with 'Weber's.' Both are Dave Selznick films.

Instead, Goldwyn avers that W. G. Van Schuman, the Radio City Music Hall managing director, told him of nervous when films, which were doing well, were pulled out in their second or third weeks by producers who wanted to 'get 'em out on the market.' Instead, they rushed in something else.

Others Extended Runs
Goldwyn is in accord with his production brethren on extended runs, if not on some other things.

He knows, for one thing, that the business had better stop kidding itself about everything being the 'greatest' and the 'best.' It isn't so. Goldwyn states that there are some 200 foreign and U. S. press correspondents in Hollywood today who tell their millions of readers far in advance just what pictures are terrific, and how many more are clunkers. But, he argues, if productions were maintained at a certain top quality, with minimization of larks and the need to ship a picture a week, then, when the publicity boys start whumping it up that such and such is a terrific picture, maybe the customers will start believing it.

Then, also, maybe the potential \$100,000,000 gross domestic can double itself, or perhaps even more. The U. S. would be wonder and gold-rush in a word, and generally establish a

(Continued on page 21)

20th-Fox Argues to Dismiss U.S. Suit Vs. Its Officers; Blumberg's Gags

Declaring, "while I'm not going to give any hunchbacked decision from the bench, but I am inclined to deny your motion, Mr. Cuckey," Judge H. W. Goddard in N. Y. federal court yesterday (12th) sustained defense as an application of 20th Century-Fox to dismiss the anti-trust suit against it by the Government. His decision on the application will be made until about trial time, but from Judge Goddard's statements and attitude it can be taken for granted the plea will be denied, and that other matters, pending by the hearing will refrain from similar moves to dismiss.

John Cuckey, attorney for 20th Fox sought a dismissal against Joseph M. Schenck, Daniel G. Hastings, Sidney R. Krot, William L. Phillips, William C. Michel, Darryl F. Zanuck, William Goetz, Felix R. Jenkins, Sidney Tinsell, Herman Wulker, H. Donald Campbell, John R. Dillon, Herman G. Plann, Selma Porter, Truman H. Talley, Sylvia P. Skouras, A. S. Gamble, A. C. Cox and John Edmonds. These men are officers or directors of the company, and it was pleaded for them that the complaint, the list of particulars, the further bill of particulars, and answers to interrogatories did not state one specific charge against them, but only against the corporation. On the grounds that unless a direct charge can be made against each individual defendant, the Government has no right to include him in the suit, 20th-Fox asked for summary judgment dismissing the action. In making his plea, Cuckey emphasized the lack of a charge against the defendants, and remarked emphatically, "I presume that even the Government will concede that some of our actions are constitutionally lawful." He stated that he had examined 218 of the 225 anti-trust cases brought by the department since 1938, and had not found one so lacking in information or so meagre as this one.

Ex-Senator Daniel G. Hastings of Delaware, a 20th-Fox director and co-defendant, was introduced and admitted to the bar of the court. He pleaded he was more sensitive than other defendants and felt that he was guilty of no wrongdoing and asked the dismissal. He stated that if the Government had a case of action against him he would like to know what it was. He remarked that his intentions and those of his colleagues as members of the board of directors were always good.

In rebuttal, Paul Williams, U. S. prosecutor, declared that the Supreme Court does not recognize good intentions. The Government does not challenge them either, Williams continued, but a corporation cannot function without individuals, and the chief officers and directors were responsible for the acts which are being charged against the corporate defendants. He asked in what right a single man, but rather against the entire group as a governing body. The theory of the Government case is that these monopolistic practices were built up through a vertical integration of the defendants in their every day affairs, approved by the officers and directors, declared Williams. Williams then told Senator Hastings that if he was to resign today, or at the last day of trial, he would be dropped as a defendant and his name included. Nicholas M. Schenck will be examined before trial tomorrow (Thursday).

Blumberg's Wise Cracks Enliven Examination

Nate Blumberg, president of Universal Pictures, was examined Thursday (11) and for the first time, John F. Chagett, special assistant to the U. S. attorney general, took over the questioning. For the most part Blumberg's examination disclosed nothing new, other than his views on certain subjects, but the Universal chief became involved in a series of funny stories.

The examination started off pleasantly enough, with Blumberg answering easy as to whether he was president of Universal Pictures Corp. or Inc. After having been set straight by his counsel, he was forced to allow those gentlemen to state what office he held in subsidiaries. He then traced his career from 1911 as a shipping clerk for

Legal Whimsey

One of the funniest gags of the U. S. anti-trust examination came Thursday (9) during the testimony of Nate Blumberg, Universal's president. After Blumberg stated that Brooklyn was strictly a second-run city, his counsel, Edward C. Bafters, declared:

"The only thing they have first-run in Brooklyn is the Dodgers baseball team."

(Since Bafters's coach, Brooklyn, has also become second run.)

PAR CONVENTION TREK WEST STARTS MAY 20

A total of 40 Paramount executives from the home office, the New York-New Jersey exchange, New England, Philadelphia and Washington, leave New York Monday (20) for the Coast to attend the Paramount sales convention there May 21-26. Other groups will be picked up en route, including district managers, branch men, and 100% salaried on this year's roster.

Stanley Griggs, who returned east Monday (12) will shoot out again Monday (21) with the others, including Barney Balaban, Adolph Zukor, Neil Agnew, Joe Ungar, Charlie Reagan, Oscar Morgan, et al. Number of pictures to be made for the 1942-43 season has not been set but is expected to be about the same as this year, 22.

Foreign BKO Mgrs. In U. S. Five foreign managers, headed by Reginald Armer, European sales chief, and Ben Y. Cammack, assistant to Phil Balaban, will attend BKO's convention in New York, May 21-26. Vanguard reached U. S. over the weekend with the return of Cammack on Saturday (11) from Brazil while Armer landed in N. Y. this week.

Other foreign managers, all from Latin-American stations, will be arriving within the next week or 10 days. They are Gus Schaefer, Caribbean district manager; Pedro Serna, Cuba; Ned Becker, home office representative in Cuba; Max Gomer, general manager for Mexico; and Fred Guberman, manager for Panama.

Barrymore-20th Make Peace for 'Profile' Pic

Originally the subject of some spleen between John Barrymore and the studio, he will now go into "The Great Profile" for 20th-Fox. This was a deal Darryl Zanuck set before returning to the Coast.

Barrymore's "My Dear Children" play, meantime, finds at the Brimley, N. Y., Saturday (12), although it may reopen in the fall. Its screen rights have yet to be sold.

MENKEN NOT LOST

Pat Newsworthy survives Maria Campbell—Dutch Rene West

Arthur Menken, Paramount news-reel cameraman, at first believed lost when Nazi bombs dropped on the British cruiser on which he was traveling Norway, lived through the terrible bombing off Hatteras when the Allied sailors lost several boats. He kept grinding away at the bomb barrage, Fox expecting shipment of these dramatic scenes. Henry Powell, Movietone photographer, also was reported in the same boat.

Menken probably will be rushed to the Belgian-Netherlands fighting zone where Herman Alty, News of Day photo, was reported seen after the bombing of The Hague.

News-reel editors, who received delayed shipments of the Menken reels early last week, were admitting that the scale of hostilities in Belgium and Holland have taken the edge off any pictures received on the Norway campaign.

M-G Skeds 63 Shorts

Hollywood, May 14. Fred Quinby announced a schedule of 63 shorts at Metro for the 1942-43 season.

Program is approximately the same as this year's.

U's Latest of Phillips Goes to Arbitration

Circumstances leading at the time of Sam Phillips' suit to head banker of the Universal exchange in New York several weeks ago will be offered for arbitration at a hearing to be held tomorrow (Thurs.), followed by additional hearings, if necessary.

The matter is being sent to arbitration for full consideration of the facts between Phillips, with Universal 22 years, is a member of the union which has a contract covering certain of U's home office and exchange employees. This is the American Federation of Office Employees, Local 10940, which is reported making important headway in organizing exchange help in other parts of the country.

Whatever Universal's reasons were for letting Phillips go, he was dropped April 18, and request was made for arbitration.

The hearing will consist of two arbitrators appointed by Universal and two by the American Federation of Office Employees. U has appointed Edward C. Bafters of O'Brien, Driscoll & Bafters, and Eddie Grainger, general manager of the M. A. Stone circuit of theatres. Union has chosen Charles Voile, general organizer for the American Federation of Labor, and Floyd Stickles, president of the Municipal Transport Workers of the AFL.

JLS LOOKS SET TO TAKE OVER PALACE, CHI

Chicago, May 14.

RKO will close the Palace, its sole Chicago spot, tomorrow (Wednesday), the second consecutive year that the house has been darkened for the summer months. House's product availability, RKO and Universal pictures, will be taken over by the Jones, Linck & Schaefer Oriental which on Friday (17) reverts to vaudeville policy after 18 weeks of "Gone With the Wind."

Growing indication is that the Palace will be taken over by J. L. & S. upon reopening. Aaron Jones, Jr., and Johnny Jones have been in New York for some time confabulating with RKO finance and distribution top on such a takeover. Likely that a partnership deal will be worked out on the Palace, with J. L. & S. operating, as it has with Balaban & Katz on the subsumed run McVickers, where R. & C. is the silent partner.

J. L. & S. have been hot for a first-run product deal for the Oriental for some time and have been in negotiations with several film companies on available product. At one time there was likelihood that a deal might have been worked out for Metro product for the Oriental, especially after M-G settled "Gone" into the house.

With first-run job the Oriental will go into a vaudeville policy at the top instead of the previous 4th with which house operated subsequent run. Balaban & Katz has its Shal-Lake vaudeville spot (up to now considered the Oriental competition) on a 4th top basis.

BURNS, RAYE SLATED AS CONIC TEAM AT U

Hollywood, May 14. Bob Burns and Martha Raye are slated as a comic team in an untitled picture for the 1942-43 program at Universal.

Burns becomes a free-lance on completion of his current Paramount chore. Miss Raye is also a Fox star.

Long Time in Saddle

Hollywood, May 14. Series of eight Fred Scott westerns goes into work Monday (20), with Spectrum Pictures producing for Monogram release, under supervision of C. C. Burr.

Schedule calls for one picture every five weeks. First is "Hell Along Overland Way," to be directed by Raymond E. Johnson.

Foreign Situation Accounts for UA Decision to Prod. Only 22 in 1940-41

'Gone's' \$13,000,000

"Gone With the Wind" in fewer than 2,000 playdates has grossed approximately \$13,000,000. David O. Selznick revealed at the UA convention in New York yesterday (Tuesday).

Selznick declared that the film rental has averaged 80% of the gross. Slight dip from the 70% Metro is asking is believed accounted for by off-bis in some Canadian spots, requiring the distributor to make good on its guarantee to exhibitors of a 10% profit on the engagement.

WAR CRASHES ANUS. STOCKS WITH OTHERS

British Allied war news, which brought heavy selling into the stock market Monday (13), tumbled shares 2 to 18 points yesterday, with amusement stocks again suffering severe losses. Loew's, which had been sold down more than 4 points Monday, dropped nearly 3 points more in yesterday's trading to a new low at 26. Universal preferred plunged 8 points, after being nearly as much Monday, down to 80.

Losses by film and radio shares in the two days' selling included Columbia Broadcasting, off about 4; Columbia Pictures, down more than 4; RKO, off more than 3; Paramount, off more than 1 in new low at 5; First preferred, off 1 1/2; Pathé, down 2; Radio, off, down 6; 20th-Fox, off about 1, and Warner Bros. down nearly 1 to a new low at 2 1/2.

N. Y. Theatre Engineers Demand Wage Increase

Presented with demands for an increase in scale and a week's vacation with pay, the New York managers held a meeting in the office of Mayor L. E. Thompson, at RKO, Monday (12) to consider the proposals of the International Union of Operating Engineers. Another session will be held Friday (15).

Engineers, Local 26, want a year's renewal and a boost of \$1.50 weekly from the present basic scale of \$22.38, in addition to the week's lay-off with pay.

Managers are reported in favor of a long-term deal, rather than a new contract for just one year.

Dot Armer's 'Dance'

Hollywood, May 14. Dorothy Arzner moved in as director of "Dance, Girls, Dance" at RKO, replacing Bar DeLorch, who passed up the job after an argument with Erich Pommer, who's producing.

Shooting was delayed two days.

Turn On the Heat

Hollywood, May 14. Lana Turner and Robert Taylor are due to run a temperature together in "Tropical Hurricane" at Metro as soon as they finish their respective jobs in "Girl of the Year" and "Flight Command."

Next Blumberg is producing.

Studio Contracts

Hollywood, May 14. Harry Sherman signed Andy Clyde for five pictures.

Loew Errol inked a deal to appear in six features and six shorts at RKO.

Warners picked up its option on Wayne Morris.

Cordell Hickman drew a minor contract at Paramount.

20th-Fox landed a player part in Ethel Selt.

Frances Langford inked one-year deal with Fox Productions.

Doris Day signed to a player contract by Charles R. Rogers.

Republic inked its player option on Bob Livingston.

Judith Anderson inked new deal at Metro.

Conventionalism in the number of films announced by United Artists came as a surprise at the opening of the company's eastern division sales convention in New York Monday (13). It listed only 22 films, said to be the absolute minimum of what might be expected. Around 20 had been anticipated. Somewhere between the two figures is forecast as the actual number that will be delivered, depending upon the situation both in foreign markets and at home later next season.

UA at its convention last year announced 24 films, including two four-reel Laurel and Hardy, for 1940-41. Of this number 23 will actually be delivered, including two L. & S. stopped up to six reels each. Delivery of the 23, however, will run well into next season, as only 18 will have been completed by the beginning of the new film year. That means there will be a minimum of 26 pictures delivered during 1941-42, the 22 new ones listed plus the six leftovers.

Murray Silverstone, UA chief, revealed the small number of pictures resulted from trouble on his recent visit to U. S. Coast. He said he is convinced that fewer and better pictures are the best method of meeting the dangerous foreign market situation. In this regard the \$20,000,000 which the UA head recently said would be the total budget for an expected 10 features was allowed to stand for the currently-announced 22, although it is thought hardly likely in production circles that large a sum will be spent.

Announcement of the coming season's program revealed no producers without affiliation with the company has not been previously made public. However, Silverstone has indicated several times in recent weeks that another producer may still be added to expand the program by one or two films. There are 13 producers on the current list, including Charles Chaplin, Samuel Goldwyn, Alexander Korda, David O. Selznick, Walter Wanger, Edward Small, Ed Beach, Sol Lesser, Ernst Lubitch, Dave Low-Adams, Lewin, James Roosevelt, Richard Rowland and Gabriel Pascal. John Ford is also working on a picture of his own which will be released to UA via Wanger.

Leading the UA announcement parade is Chaplin's picture which means the probability-to-be-changed title "The Dictator." It also led last season's program, being one of those that wasn't delivered, as Chaplin is still working on it.

Goldwyn's "The Westerner," which was reversed for the convention, is rated around in importance. It is the only picture promised from the producer, however. Priority is attributed to his current battle to break out of his UA past and his previous at making further pictures while the previous foreign situation prevailed.

Korda's "Third of May" is another originally slated for the current season which was held up in production and will be released as the new schedule. It is now being completed. Remains in Vivian Leigh in "Wuthersham," based on the novel by Mary Webb, and Marie O'Hara in "Lady in the Dark," with Melvyn Douglas. No mention is made of "Methu Merriday," Sinclair Lewis' new novel, which Korda recently bought and in which, he said last week, Lewis will have a principal role. Korda also said he is evaluating the option he holds on "Labyrinthine Way," by Graham Green, despite Catholic opposition to production of the novel. Korda, prior to the turn of the war in Europe over the past weekend, said he planned to make two pictures in Hollywood and two in England for the new season. Plans, however, may be changed by events.

Two Selznick productions are announced, both unnamed. One, the producer has stated repeatedly, will be "Joan of Arc," although UA's failure to put it in its program further upturned expressed in some well-informed circles that it will never be made. He also names are now named for the pair of Selznicks, but the producer has under contract three seasons, Vivian Leigh, Joan Fontaine and Ingrid Bergman.

Harry L. Gold, v.p. and eastern sales manager, is presiding at the three-day convention. Western division

(Continued on page 12)

ORGANIZE ALL PIC FLACKS

Same Libretto, New Lyrics, As Neely Takes an Encore Performance in D. C.

Washington, May 14. Antagonistic House committees greeted the first outburst of lively testimony as hearings on the anti-trust bill were resumed this week after a three-year suspension.

Familiar song-and-dance act started Monday (11) with Mrs. Mary T. Baerman, local clubholder and legislative representative for the National Congress of Parents and Teachers of America. She is being staged this year before the full House Interstate and Foreign Commerce Committee, instead of being delegated to a subcommittee.

Independent exhibitors are being "trampled in the dust by a hard-hearted Hollywood," according to Mrs. Baerman, and U. S. picturegoers must visit theatres which are "controlled automatically by some faraway producers." Although conceding that "everyone admits that pictures have improved since 1935," Mrs. Baerman stated that "the movies seem to be the only business where the customer is always wrong."

Elimination of blockbooking and blind selling will make possible the showing of "truly desirable" pictures, she-mover declared. Indie exhibitors will cooperate with their local communities, she assured the committee, and will reap rewards from increased benefits when "the sale of the children's time are made acceptable to parents."

Shoptalk
Majority of the House committee appeared extremely shoptalk over the promised benefits to film patrons. P.T.A. head was grilled almost minutely over details of present anti-trust arrangements with the big studios and her inability to answer the quiz resulted in several raucous outbursts.

Interest of Representative Charles A. Wyckoff (R., N. J.) in the current anti-trust suit against the industry created wide speculation among observers at the hearings. New Jerseyite questioned Mrs. Baerman closely about the Government's charges but, discovering that she had only "blundered over" the

Selznick and Sarnoff Address Rochester U. Congress on Pix, Radio

Rochester, N. Y., May 14. Films and radio were held for the closing act of the three-day University of Rochester symposium, which discussed, argued and debated "New Frontiers in American Life." Scores of the amusement industries were David O. Selznick, president of Selznick-International, who talked about pictures, and David Sarnoff, president of Radio Corp. of America, who handled the case for broadcasting.

Selznick painted a bright picture for the future of films, basing his predictions on the fact that public taste for better entertainment was improving. He reversed the popular theory that mediocre films were the responsibility of the producers. "Film from," as he termed it, was presented, he said, because the public wanted it, just as the public wanted the old-time ten, twenty and thirty melodramas. Now that the public was being educated by the producers to appreciate better film entertainment, it was getting better films.

Sarnoff dwelt on the collapsed mechanical gadgets which technicians are working out and developing in radio laboratories. He mentioned the possibility of individual sending and receiving sets, so small that every person might have his own communicating system in his pocket. Television is an immediate possibility for every home. He did not believe that television would prove harmful to motion pictures as theatre entertainment—in fact, one would supplement the other.

HKO's N. Y. Fair Service Stands; WB, Par Doubtful

REO will maintain its exhibitors' lounge at N. Y. headquarters, plus various service units, for the second year of the N. Y. World's Fair, but Warner Bros. and Paramount, which sought good-will in that direction on a much smaller scale, are doubtful.

H. M. Richter, director of special exhibitor relations for HKO, is in charge of that company's lounge, which has been maintained in spacious surroundings since the fair failed last fall.

Metrol, with its information booth in Times Square, resumed it during the past week after putting on a paint job.

Johnson's Trust Suit Against NW Paramount, Welworth Indie Claims

Minneapolis, May 14. A. R. Johnson, former RCA Pictures representative here and more recently an independent exhibitor, has filed a \$125,000 anti-trust suit in U. S. district court at Sioux Falls, S. D., against the Minnesota Amusement Co. (Paramount), the Welworth indie circuit, and Paramount, REO, Metro-Pix, United Artists, Universal, Columbia, Warner Bros., Republic and Monogram exchanges.

Johnson, who has had the Granada, Sioux Falls, and the Time and Pix at Aberdeen, S. D., alleges conspiracy among the defendants to force him out of business. As a result, he charges, he was unable to obtain film product for his theatres. He recently sold the two Aberdeen houses.

ORDERS RE-REVIEW BY CENSORS OF 'PRIMROSE'

Minneapolis, May 14. Although "Primrose Path" is enjoying a healthy run (for a week at least) at the downtown Fox Palace, it may never reach the tubes. Squawks against the "lewd" picture poured in upon Mayor Carl F. Zeller in such volume that he has requested the motion picture commission to re-review it and to reconsider its approval.

"Either we have a commission or we don't," the mayor told the censorship board. "The commission is intended to be a public body responsive to public opinion. It should not be a rubber stamp."

Frank B. McCall, chairman of the commission, said "Primrose" had been given approval because it pointed a good moral and was noteworthy for excellent acting, but that the mayor's request would be complied with, and a meeting tonight (14) will decide whether the O.K. given the film shall be withdrawn.

McCarroll, Newsreeler, Killed in Plane Crash

A. J. Rickard, editor of Paramount newsreels, hurried to the Coast Friday (10) on morning word that Michael McCarroll, head of the Los Angeles bureau, had been killed in a plane crash May 8. McCarroll was helping film a slide from a specialty chartered plane when two ships collided. Pilot of airplane carrying McCarroll also was killed.

McCarroll had been on the Coast for Paramount News since 1939.

F. & M. Studio Fire

Hollywood, May 14. Blast at the Fairmont & Marion studio caused damage estimated at \$40,000. Old Fox lot nearby escaped damage.

PUBLICISTS GUILD SPREADING OUT

Exploitation and Advertising Men Will Be Drawn Into Studio Group—Clash with News Guild, Agents Soon—Favor AFL Charter

ICRIBE DEMANDS UP

Hollywood, May 14. The Screen Publicists Guild is expanding into a national organization. Studio flacks are revising their by-laws to take over jurisdiction in the distribution and exhibitor fields, as well as firms handling picture advertising and exploitation. National headquarters will be located in Los Angeles, with locals in various cities throughout the country. When the proposed expansion is okayed by the membership, initiation fee will be \$100 and dues for senior flacks to \$4 quarterly and \$2 for juniors.

Because of the wide jurisdictional latitude outlined by the SFG, labor leaders said there was possibility of a clash between the flacks and the

WB SETTLES INDIE'S SUIT

Philadelphia, May 14. The case of the Lambda theatre versus the Stanley-Warner chain and the major distributors, scheduled to be a virtual "rehashing" of the big Federal anti-trust suit in New York, died on Friday (10) with a joint announcement by both sides that an out-of-court settlement had been effected "satisfactory to all parties". The announcement was made just before the opening of U. S. district court in which argument in the much-hallmarked suit was set to start.

Neither Morris Wolf, leading the defense counsel, nor State Senator Harry Shapiro, Lambda attorney, would divulge the terms of the agreement, stating that one of the stipulations was that the details of the settlement would not be made public. It was reported, however, that the Lambda, an indie in Vineland, N. J., would receive priority run in at least three major products over the S-W houses in Vineland.

The sudden ending of the suit came as it was expected that neither side would give in. The defendants were expected to hold out to forestall any more suits by indies, while the plaintiffs were believed set for the long, hard pull because of the fact that the indie was owing the chain a good deal.

The case had been watched by the entire film industry because it had the distinction of being the first in the scores of similar suits in which an indie exhibitor was granted a preliminary injunction against the majors. In this action, Federal Judge William H. Kirkpatrick declared that the defendants were guilty of violating the anti-trust laws. But the restraining was later voided by the U. S. Circuit Court of Appeals who sent the case back for a final hearing.

Another interesting feature to the Lambda case was an order by Judge Kirkpatrick ordering the defendants to show their books and contracts, the first time such an order had been made. These documents were examined by a Special Master who had completed his personal and was scheduled to deliver all papers pertaining to the case at the hearing when the settlement was announced.

Defendants in the suit were Warner Bros. Pictures, WB Theatres, Paramount, REO, Loew's, 20th, Columbia, Universal and United Artists.

As June 3 Nears, Pix Biz Openly Vexed at Arnold's Aloofness To Any Possible Settlement Overtures

Forster Opp Lamour In 'Moon Over Burma'

Hollywood, May 14. Preston Foster plays opposite Dorothy Lamour in "Moon Over Burma," an Oriental yarn slated to roll June 3 at Paramount under direction of Louis King.

Foster's entry into the "Burma" cast means that Pat O'Brien is the sole candidate for the top spot in "The Amazing Story of Sergeant York" at Warner. They were the leading aspirants to the job.

Nick-Weston Waive Appeal, But Needn't Return Over \$48,000

St. Louis, May 14. John P. Nick and Clyde A. Weston, former heads of IATSE, Local No. 142, have withdrawn their appeal taken to the Missouri State Supreme Court from the recent decision of Circuit Judge Ernest F. Oakley who permanently barred them from control of the Local and, in return, the Local has waived the return of \$48,000 which Judge Oakley ordered Nick and Weston should pay the Local. A stipulation was filed in Judge Oakley's court last week.

If the \$48,000 Judge Oakley held that \$48,000 represented dough obtained from exhibitors in 1938 in lieu of a wage increase contract for the operators. Some \$4,000 was obtained in 1937 under similar circumstances and the balance consisted of improper expenditures of union funds.

Robert Rosend and Raymond Freed, counsel for Local 142, in a statement, said the union had "voluntarily returned its claim in order to expedite the dismissal of the appeals and to avoid prolongation of the litigation." The statement added that the ultimate aim of the counter suit, the reestablishment of local autonomy for No. 142 had been accomplished. The union, after investigation, is satisfied of the doubtful pecuniary value of these judgments," the statement stated.

Paul Dillon, associated with Raymond Baze in defense of Nick and Weston in all litigation, refused to sign the stipulation which carries the Johnhammocks of Rosend, Rosend and Freed, Harry Baras, president, and Howard O'Laughlin, recording secretary of Local No. 142, and Joseph A. Padway, counsel for IATSE.

Filing of the document clears the way for settlement of a wrangle, in effect since last September, between Local No. 142 and Fanchon & Marjorie Frank Strickland, an IATSE representative from Elgin, in its town, to complete a solution of the frame in which excess of No. 142 charge that F & M made separate working contracts with Nick adherents among their operators, contrary to union rules and regulations.

N.Y. FILM AGENTS

SAG Franchising Cy Betas Artists Representatives Ass'n

Quorum of Screen Actors Guild franchising New York agents doing any film business from the east turned up this week at a meeting Thursday night (10). I. Robert Bender, counsel for the Artists Representatives Ass'n, and a committee of agents, will confer with Mrs. Florence Martin, eastern rep. of SAG, and Henry Joffe, its counsel, on preliminaries.

Franchising will be done independently of the Artists Managers Guild of Hollywood, this group stating that it was not interested in branching out to take in the N.Y. agencies willing to do the film campaign.

Along the film industry's legal front there is growing daily a strong conviction that the Government's anti-trust action against the eight major film companies is moving inevitably towards trial and is sweeping further from settlement by compromise and amiable deuces.

Whereas, a week ago hopeful expressions from attorneys and film executives indicated that some amicable settlement of the issues might be reached before the start of trial on June 3, the feeling prevails currently that agreement on a platform of revised and experimental trade practices will not, in earnest, be reached.

There is in prospect, therefore, a long-drawn-out court struggle, estimated variously by principals on both sides as likely to extend over a period of two or three years. With victory or defeat by either side, the ensuing appeals to higher courts and eventually to the U. S. Supreme Court will require many months for the preparation and presentation of briefs and arguments.

Strictly from the viewpoint of cost to the film companies the estimate of selling for legal talent, for expense of bringing in New York hundreds of witnesses and for the employment of scores of investigators, the price of defense is rising to \$2,000,000. And this vast total does not take into account the probable loss of executive manpower, of showmanship enterprise and public good will which always are accessories to actions of this nature.

From the Department of Justice within the week comes the announcement that the three ranking officials of the Government's prosecution are preparing in appeal to court to present the opening arguments. These include Robert Jackson, attorney general, Thurman Arnold, (Continued on page 10)

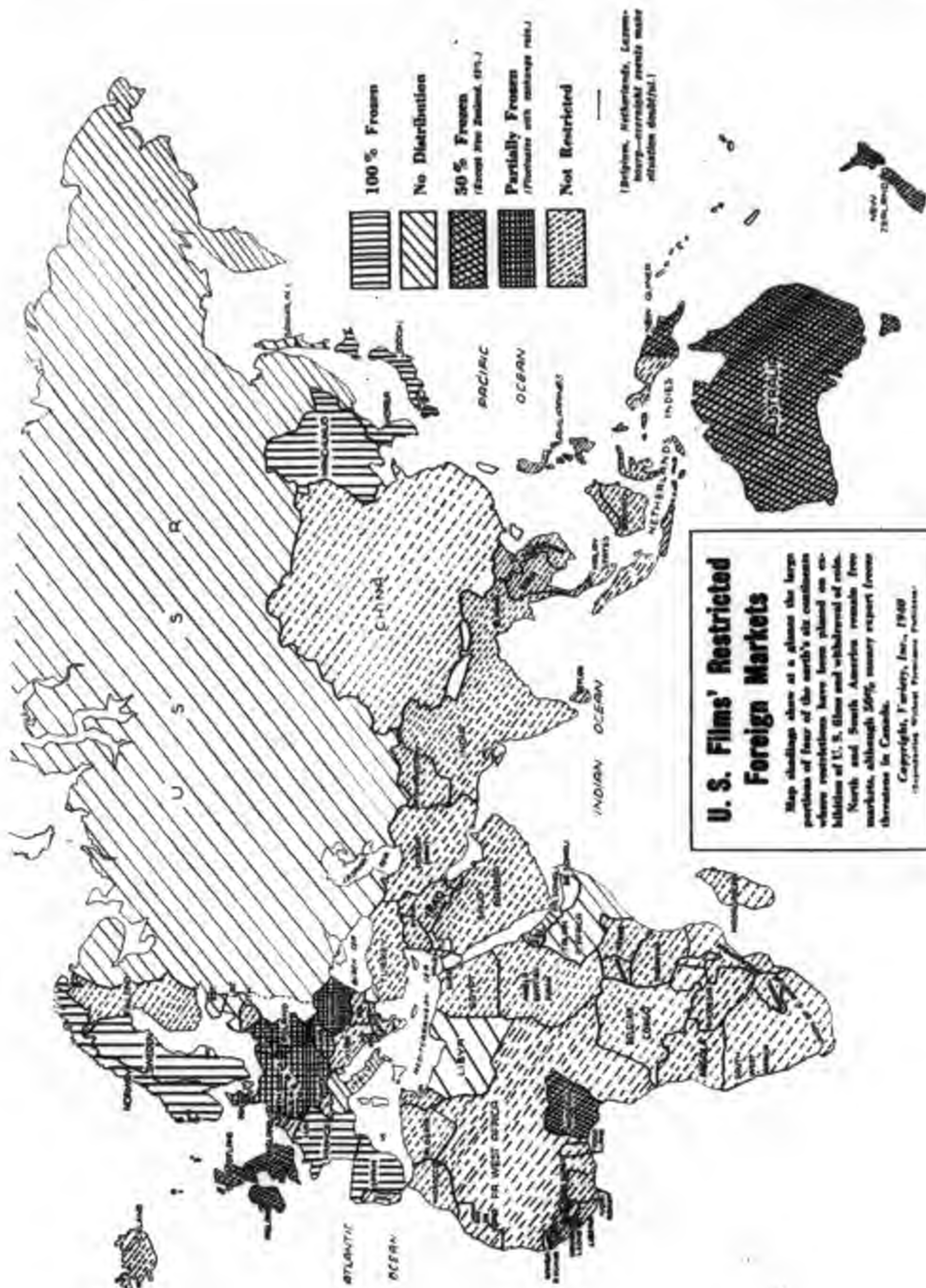
U.S. Labor Official To Determine 'Exec,' 'Pro' Classes in Pix

Washington, May 14. Unraveling of the controversial issue of who is an "executive" and who is a "professional" in the motion picture industry will be undertaken shortly by Alfred M. Cocking, assistant Director of Personnel of the U. S. Department of Labor, it was announced last Sunday (12).

Final decision of which employee is which, under the terms used in the Fair Labor Standards Act, probably will be made after Cocking completes a "first-hand study of the duties and responsibilities of the present 615 work classifications used by the studios." The Government official will work out of the L. A. office, under the direction of Regional Director Wesley O. Ash, and will establish contact with producers' organizations and unions and guilds in which a majority of the studio employees belong.

Classification of the "professional-executive" definition has long been sought for the motion picture industry. Minimum wages are not a problem, according to the Labor Department, because of the high salaries paid by the industry. But problems involving the overtime requirements of the law have caused much disagreement. (The 42-hour limit which now applies to the industry will be shortened in October to 40 hours a week).

Under the Fair Labor Standards Act, employees employed in a bona fide executive, administrative or professional capacity are exempt from wage-hour provisions. An "agreed state of facts" will be sought from Cocking's final report and public hearings will be held upon its completion—probably by the Wage Hour Administrator.



U. S. Films' Restricted Foreign Markets

Map showings show at a glance the large portions of four of the world's six continents where restrictions have been placed on exhibition of U. S. films and withdrawal of sales. North and South American remain free markets, although 50% money export from threatens in Canada.

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Marxes-True' Nice \$37,000 In Chi; Lunceford-Names' Strong \$16,000, Palace Closing, 'Gone' Scramming

Chicago, May 14. Several changes will occur in the top lineup this week. "Gone With the Wind" will finally wind up at the Oriental after 18 weeks, the longest run for the picture in the nation. Palace will continue, however, in the Woods on its two-week policy, and again its take runs at three Salutes & Kats ending on June 7.

RKO is closing the Palace Wednesday (15) and House will stay dark for at least 10 weeks, according to present plans. This repeats the summer closing for the house last year. House's supply of RKO and Universal pictures will be taken over by Jones, Leach & Schaefer for the Columbia, which reverts to exhibition policy Friday (17). However, the Oriental will try it as a first-run plan this time at \$100,000 instead of previous 400,000. Marx Bros. with "An American Tramp" will finish up with fair enough gross at the Chicago. "Cyclone" was pulled out of the Hammer after a single session and replaced by "Dark Command," which scores for some male leads on the western single Jimmy Lunceford band and colored cast are doing business for the Paramount, which built up a strong patronage in the 18 weeks that it had the family time vaude held in field.

Estimates for This Week
Apollis (RKO) (1,200; 25-25-25-25) — "Johnny" (UA) (100; 25-25-25-25). In second week here and sixth week in Los Angeles. Continues to make money at a remarkable pace. Holding to better than \$10,000 currently, after amazing occasional \$10,000 last week.
Chicago (RKO) (1,200; 25-25-25-25) — "Come True" (WB) and Marx Bros. with "An American Tramp" (100; 25-25-25-25). Trade steady in the evening, but slow during the afternoon. Paced for good \$17,000. Last week, "Dark Command" (Par) with Andrews Sisters, Red Skelton and Eddie McVey on stage, turned in boxoffice gross of \$20,000, okay.
Garfield (RKO) (1,200; 25-25-25-25) — "Benny" (Par). Moved here from the Chicago and looks for satisfactory \$10,000. Last week, "Star Dust" (RKO), over \$12,000.
Grandstand (Lowe) (1,200; 25-25-25-25) — "Gone" (M-G) (100; 25-25-25-25). Winds up run Wednesday (15) and House reverts to exhibition policy Friday (17). Weekends have been bright, with weekdays just jogging. Looks to finish with \$17,000, after taking \$18,000 last week.
Palace (RKO) (1,200; 25-25-25-25) — "Prisoner" (RKO) and "Me" (100; 25-25-25-25). House will close tomorrow (Wed.) and picture will go to the Oriental. Will hold to \$10,000, fair enough after taking \$12,000 last week.
Savoy (RKO) (1,200; 25-25-25-25) — "Command" (RKO). Possible week in the offing for this historical western at \$10,000. Last week, "Cyclone" (Par), faded quickly to \$1,000, nil.
State-Lake (RKO) (1,200; 25-25-25-25) — "Without Names" (Par) and Jimmy Lunceford band on stage. All-around show is doing the trade remarkably to healthy \$10,000. Last week, "Gone" (M-G) with Johnny Davis on stage, over \$17,000.
United Artists (RKO-M-G) (1,200; 25-25-25-25) — "Cargy" (M-G) (100; 25-25-25-25). Headed for \$10,000, strong enough currently, after taking bright \$14,700 last week.
Woods (Paramount) (1,200; 25-25-25-25) — "Gone" (M-G) (100; 25-25-25-25). Taking \$10,000 currently, after brilliant \$17,000 last week. Holds on.

DODGERS IN B'KLYN B.O. OFF; BENNY OK \$18,000

Brooklyn, May 14. Major headlines downtown theaters had in review with this week was arrival of Brooklyn Dodgers and opening of World's Fair. Both attractions offered considerable competition.

Palace Paramount is managing, however, to crowd out among white this season with "Dark Command" and "Johnny" (UA). "Lone" (M-G) gave Par a hand with "A Date" and "House of Seven Gables." RKO after a quiet with "Johnny Apple" and "Millionaire Playboy."

Estimates for This Week
Albee (1,200; 25-25-25-25) — "Johnny Apple" (RKO) and "Millionaire Playboy" (RKO). Quiet \$18,000. Last week, "Prisoner" (RKO) and "Curtain Call" (RKO), over \$18,000.
Fox (1,200; 25-25-25-25) — "A Date" (WB) and "The Gas House" (WB). Unsettled \$18,000. Last week, "Cyclone" (Par) and "Adventure" (RKO), over \$18,000.
New (1,200; 25-25-25-25) — "The Diner" (R) and "Seven Gables" (U). Attraction \$17,000. Last week, "Action

Ray" (UA) and "Ghost House" (M-G), satisfactory \$18,000.
Paramount (1,200; 25-25-25-25) — "Dark Command" (Par) and "Johnny" (UA). Pleasant \$18,000. Last week, "Meet Again" (WB) and "Grandpa" (WB) (RKO), over \$18,000.
Savoy (1,200; 25-25-25-25) — "One Beautiful" (M-G) and "Secret Four" (M-G). Dull \$18,000. Last week, "Purple Heart" (Par) and "Raiding" (RKO), over \$18,000.

CANTOR - VAUDE POOR \$14,000 IN WASH.

Washington, May 14. With four new shows at least of average margin strength, House for noticeable drop in overall gross this week must be laid to beginning of summer slump. Outdoor amusements are turning open their doors right and left and weather also is playing right into their hands.

Type looks to be back with "Saturday's Children" and return of Red Skelton. "Fifty Little Mothers" and "Blue Baroque" are also at Capital, and "Mr. Son, Mr. Son" is disappointing at Palace.

Estimates for This Week
Capital (Lowe) (1,200; 25-25-25-25) — "Little Mothers" (M-G) and vaude. Even with help of Blue Baroque's work, Cantor won't pull radio line for better than light \$14,000. Last week, "Saturday's Children" (WB) and "Blue Baroque" (M-G) and "Raiding" (RKO), good \$17,000.
Columbia (Lowe) (1,200; 25-25-25-25) — "Raiding" (UA) (100; 25-25-25-25). Fourth week on maximum getting profitable \$14,000. Last week, better \$15,000.
Erie (WB) (1,200; 25-25-25-25) — "Saturday's Children" (WB) and vaude. Red Skelton's return on M-G, plus pull of John Garfield, who was here recently in "Heavenly Express," leading town with fair \$15,000. Last week, "Dark Command" (RKO) and vaude, light \$13,000.
Erie (RKO) (1,200; 25-25-25-25) — "Prisoner" (RKO) (100; 25-25-25-25). Not very possible \$14,000. Last week, good \$15,000.
Met (WB) (1,200; 25-25-25-25) — "Million B.C." (UA). First run in total spot getting big \$17,000. Last week, "Thelma" (M-G) (100; 25-25-25-25), solid \$15,000.
Palace (Lowe) (1,200; 25-25-25-25) — "Mr. Son" (UA). Disappointing in face of better long-term hold. Not over fourth \$13,000. Last week, "Strange Cargo" (M-G) (100; 25-25-25-25), over \$17,000.

Benny \$4,700 But Only 2 1/2 G, Cantor, in Lincoln

Lincoln, May 14. With a Sunday (15) start, "Benny" put open to the h.s. here and is off for a 10-day gallop. House just finished getting open money with "Benny" Eddie Cantor's "Little Mothers" started mid-week, but hasn't the necessary stuff to pull house up to average.

Estimates for This Week
Columbia (Lowe-M-G) (1,200; 25-25-25-25) — "Calling Marlowe" (RKO) and "Bright Shadow" (Victory). With "Benny" Main Street (100; 25-25-25-25). Last week, "West Coast City" (U) and "Tom Crows" (U), solid \$14,000. Last week, "Benny" (RKO), good \$14,000, mostly due to Act 1.
Lincoln (Casper-Paramount) (1,200; 25-25-25-25) — "Benny" (RKO). Film is set for 18 days, to be followed by "Lillian Russell" (RKO), which will get weekend opening. Benny so far has \$4,700, to more on 18 days, very good. Last week, "Benny" (UA), credited \$2,000 in new days, off.
Nabucco (Casper-Paramount) (1,200; 25-25-25-25) — "Charlie Chaplin" (RKO) and "Curtain Call" (RKO). Par \$1,000. Last week, "Curtain Call" (RKO) and "Millionaire Playboy" (RKO), over \$1,000. Another night Thelma are playing in full house.
Savoy (Casper-Paramount) (1,200; 25-25-25-25) — "Charlie Chaplin" (RKO) and "Curtain Call" (RKO). Par \$1,000. Last week, "Curtain Call" (RKO) and "Millionaire Playboy" (RKO), over \$1,000. Another night Thelma are playing in full house.
Savoy (Casper-Paramount) (1,200; 25-25-25-25) — "Charlie Chaplin" (RKO) and "Curtain Call" (RKO). Par \$1,000. Last week, "Curtain Call" (RKO) and "Millionaire Playboy" (RKO), over \$1,000. Another night Thelma are playing in full house.

First Run on Broadway (Subject to Change)

Week of May 14
Adelphi—"Gone With the Wind" (M-G) (100; 25-25-25-25).
Capital—"Waterloo Bridge" (M-G).
(Reverted to Current Issue).
Columbia—"Hell Below" (M-G).
(Reverted).
Globe—"I Was An Adventurer" (100; 25-25-25-25).
(Reverted to Current Issue).
Herald—"My Son, My Son" (UA) (100; 25-25-25-25).
Paramount—"Dark Command" (Par) (100; 25-25-25-25).
Shubert—"The Prince" (U) (100; 25-25-25-25).
Savoy—"If I Had My Way" (U) (100; 25-25-25-25).
Savoy—"Lillian Russell" (100; 25-25-25-25).
Savoy—"Terror Zone" (WB) (100; 25-25-25-25).
(Reverted to Current Issue).
Week of May 15
Adelphi—"Gone With the Wind" (M-G) (100; 25-25-25-25).
Capital—"Waterloo Bridge" (M-G) (100; 25-25-25-25).
Columbia—"Hell Below" (M-G).
(Reverted to Current Issue).
Globe—"I Was An Adventurer" (100; 25-25-25-25).
(Reverted to Current Issue).
Herald—"My Son, My Son" (UA) (100; 25-25-25-25).
Paramount—"Dark Command" (Par) (100; 25-25-25-25).
Shubert—"The Prince" (U) (100; 25-25-25-25).
Savoy—"If I Had My Way" (U) (100; 25-25-25-25).
Savoy—"Lillian Russell" (100; 25-25-25-25).
Savoy—"Terror Zone" (WB) (100; 25-25-25-25).
(Reverted to Current Issue).

Strike Murders Pitt Bez; Ginger, \$10,000, Is N.G.

Pittsburgh, May 14. Parking lot strike is really cutting in on downtown business. Traffic is virtually at a standstill and everybody seems to be waiting to the side of the street for their driver. Without it is second week and as far as sign of a break, with theatre scene now joining in with other business leaders in demanding that city take a hand in bringing opposition together.

Reading is general, and nobody's excluded.

Estimates for This Week
Adelphi (Lowe) (1,200; 25-25-25-25) — "Dark Command" (Par). Not very much of a selling job on this one, house showing everything on world press of "Lillian Russell" (100; 25-25-25-25) tomorrow night (15). In six days house closing all day Wednesday in preparation for premiere at night, not much more than \$10,000 looked for from "Command." Last week, "My Way" (U), light \$10,000.
Palace (Lowe) (1,200; 25-25-25-25) — "Alas Dearest" (U) and "Zenther" (U). Not very much of a selling job on this one, house showing everything on world press of "Lillian Russell" (100; 25-25-25-25) tomorrow night (15). In six days house closing all day Wednesday in preparation for premiere at night, not much more than \$10,000 looked for from "Command." Last week, "My Way" (U), light \$10,000.

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Fair and War Jitters Hurt B'way; 'My Son' OK \$80,000, 'Command' 28G, Weak, '20 Mules' Pull Only \$15,000

(Weak Exploitation: Movie Hall)
Broadway is deadlier than a Hitler protection promise, but not only the theatre managers look intimidated. Everyone else does and the way things are going and a curfew check would indicate that no one in particular is doing any business.

While the Fair resumed again for another season, taking off last on Saturday (14), the cashiers at the theatre boxoffice were pawing over the weekend. They were also half asleep on Friday (13) when the news of the Hitler latest invasion was heard.

Reports from throughout the country also indicate that the latest war developments, getting a everybody scared and upset, are keeping them away from the theatre. In spite of good pictures, business dropped quite severely. Checkers carried the dip to the constant quest for news on the war through newspapers, radio and street conversation, plus general business and personal uneasiness. For New York, the drop of business to the Fair added to that.

Since Friday the drop from normal in New York is placed from 25% for some houses to as high as 50% and 55% for others. That kind of a slide makes a big difference.

"My Son" is being held down to \$10,000 at the Music Hall, satisfactory enough, but disappointing with the Paramount with "Dark Command," Gene Krupa and Connie Bennett, which has been hitting high speed from the start three weeks ago, also got pinched. While the house did \$14,000 on the second week through May 7, on the third ending last night (14), it came down with the rest of the crowd to \$10,000. This is a safety in the credit column, however, and a fourth (15th) week begins today (Wed.).

In addition to "My Son," new pictures that are not getting their last due include "Dark Command" and "20 Mule Team." The former will be only about \$10,000 or a bit under, which just isn't fair, and "20 Mule Team," also thanks to Hitler and the Fair, won't reach \$10,000. "Command" is at the RKO, "20 Mule Team" at the Cap, but the theatre don't make much this week.

The RKO will have to push to hit \$10,000 on the second week of "Saturday's Children" and Gay Lombardo (100; 25-25-25-25). Not very much of a selling job on this one, house showing everything on world press of "Lillian Russell" (100; 25-25-25-25) tomorrow night (15). In six days house closing all day Wednesday in preparation for premiere at night, not much more than \$10,000 looked for from "Command." Last week, "My Way" (U), light \$10,000.

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stage show. Kept from going much higher but still \$10,000 is a lot of money. With last week, with the "Johnny" (UA), that old world-leader, was \$10,000. On the run, over six seasonal weeks the total gross attained was \$144,000.

Shubert (100; 25-25-25-25) — "Alas Dearest" (U). Good show Monday (13) and away fairly, perhaps \$10,000. Last week, "Curtain Call" (U) and "Lillian Russell" (U) (100; 25-25-25-25), or a party, paid off \$1,000, \$1,000.

Savoy (100; 25-25-25-25) — "If I Had My Way" (U) (100; 25-25-25-25). Off balance with the rest of the house and this week (15) probably around \$10,000. First week was little under \$10,000, light but getting through \$1,000.

Savoy (100; 25-25-25-25) — "Dark Command" (Par) and stage show. Not enough tickets in circulation for anyone to risk and \$10,000 will be about all, too bad. Last week, "Star Dust" (RKO) ended at \$17,000.

State (100; 25-25-25-25) — "Singapore" (Par) (100; 25-25-25-25) and on the stage. Gertrude Nissen and Bill Britton head. Having trouble making "on" and no more than about \$11,000 seen. Last week, "Benny" (100; 25-25-25-25) run, also Joe E. Lewis, Adelaide Hall and Parthenian, over to \$12,000, good.

Strand (100; 25-25-25-25) — "Saturday's Children" (WB) and Gay Lombardo (100; 25-25-25-25). \$10,000 on the first week, pretty good but on second will be fortunate to get up to \$10,000 after the bombing of Broadway, however, on the two weeks in the right column. House open "Terror Zone" (WB) and "Benny" (RKO) Friday (17).

'MEET AGAIN' N.G. \$10,000 IN HUB

Boston, May 14. Sunny weather, racing, baseball and the stress will be among the explanations for tepid box office here for the week. "Meet Again" (UA) and "Johnny Apple" are both-and-weak on the leaders, with "If I Had My Way" (U) leading the basement.

"Our Town" (UA) will be given a world press day and date at Orpheum and State Thursday (15).

Estimates for This Week
Boston (RKO) (1,200; 25-25-25-25) — "No Ladies" (RKO) and "Hidden Gold" (Par), plus vaude, three days; and "War Angels" (Par) (renewal) and "Our Right Party" (Alliance), last four days. Will get around \$10,000, average. Last week, "My Son" (U) (100; 25-25-25-25) and "Three Mile Line" (U) (100; 25-25-25-25), with vaude, three days; and "Benny" (RKO) (100; 25-25-25-25) and "Manhattan" (RKO) (100; 25-25-25-25), double, four days, \$12,000.

Estimates for This Week
Boston (RKO) (1,200; 25-25-25-25) — "No Ladies" (RKO) and "Hidden Gold" (Par), plus vaude, three days; and "War Angels" (Par) (renewal) and "Our Right Party" (Alliance), last four days. Will get around \$10,000, average. Last week, "My Son" (U) (100; 25-25-25-25) and "Three Mile Line" (U) (100; 25-25-25-25), with vaude, three days; and "Benny" (RKO) (100; 25-25-25-25) and "Manhattan" (RKO) (100; 25-25-25-25), double, four days, \$12,000.

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Boston (RKO) (1,200; 25-25-25-25) — "No Ladies" (RKO) and "Hidden Gold" (Par), plus vaude, three days; and "War Angels" (Par) (renewal) and "Our Right Party" (Alliance), last four days. Will get around \$10,000, average. Last week, "My Son" (U) (100; 25-25-25-25) and "Three Mile Line" (U) (100; 25-25-25-25), with vaude, three days; and "Benny" (RKO) (100; 25-25-25-25) and "Manhattan" (RKO) (100; 25-25-25-25), double, four days, \$12,000.

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Boston (RKO) (1,200; 25-25-25-25) — "No Ladies" (RKO) and "Hidden Gold" (Par), plus vaude, three days; and "War Angels" (Par) (renewal) and "Our Right Party" (Alliance), last four days. Will get around \$10,000, average. Last week, "My Son" (U) (100; 25-25-25-25) and "Three Mile Line" (U) (100; 25-25-25-25), with vaude, three days; and "Benny" (RKO) (100; 25-25-25-25) and "Manhattan" (RKO) (100; 25-25-25-25), double, four days, \$12,000.

Mpls. Has B. O. Blackout; 'Irene', \$6,500, Benny, 7 1/2 G. Both Good

Minneapolis, May 14.—The bottom apparently has fallen out of theatre patronage and grosses are suffering from persistent anemia. Latest word developments seem to have found another one blanket over entertainment-seeking possibilities. Incidence of real estate tax payment time and the advent of warm, pleasant weather also are taking a toll from B.O.A., which have been hit hard by generally depressed business conditions.

Among the newcomers, 'Irene' and 'Buck Benny Rides Again' are the best headline hits. Member of the latter, 'Abe Lincoln in Illinois,' in its third week at the new-center world, and 'It's a Man,' which moved over from the State to the Century, is demonstrating satisfactory pulling power and both will not stay the current week.

Estimates for This Week
 Actor (Par-inger) (RKO): 15-25-40—'Western Star' (Par) and 'Carnegie Christian' (RKO), dual first-run, split with 'One Beautiful Girl' (M-G) and 'Young Agent' (U), also dual first-run. Headed for fair \$12,000. Last week, 'Black Friday' (U) and 'Free Blonde' (RKO), dual first-run, split with 'Lancelotti' (U) and 'Curtain Call' (RKO), \$12,000, mid.

Century (Par-inger) (LNU): 15-25-40—'It's a Man' (U) (M-G). Not delivering in the way that Durbine preferences have done. Must be the last general conditions. Light \$12,000 looks about top. Last week, 'Dr. Dribble' (WB), had \$12,000 in five days.

Regard (LNU) (20): 15-25-40—'Old Dark House' (U) (crash). New 2d but price policy, same as that of Century. Having plenty business getting product. Stretching toward good \$12,000. Last week, 'Furber' (French), \$12,000, light.

Regard (Par-inger) (RKO): 15-25-40—'Kidnapper's Case' (M-G). Should hit good \$12,000. Last week, 'Giant Home' (M-G), light \$12,000 in five days.

Regard (Par-inger) (LNU): 15-25-40—'Irene' (RKO). Opened Thursday (U), one day ahead of schedule and may hit \$12,000, fair. Last week, 'Case True' (WB), \$12,000 in six days, light.

State (Par-inger) (LNU): 15-25-40—'Buck Benny' (Par). Well liked and going at fair pace, but Benny is great business draw here. Seem to have to fairly good \$12,000. Last week, 'It's a Man' (U), \$12,000, fairly good, but disappointing.

Upstart (Par) (LNU): 15-25-40—'Furber' (RKO), split with 'Virginia City' (WB). First neighborhood showings and pretty good \$12,000 in prospect. Last week, 'Singsong' (Par), first week showing, \$12,000, 4000.

World (LNU) (20): 15-25-40-45—'Abe Lincoln' (RKO) (M-G). Has been great business disappointment, inasmuch as big things were expected of it in this long-run house that has city and industrial trade. Light \$12,000 looks about all. Last week, \$12,000, mid after big \$12,000 first week.

BENNY GOES TO \$10,000 ON OKAY OMAHA BALLY

Omaha, May 14.

(Best Explanation Omaha)

Preceded by a terrific street rally, 'Buck Benny Rides Again' got off to big start Thursday (U) and looks for good \$10,000. 'A Bill of Divorcement' is sagging at the Brundage. Oryphon is doing nicely with 'If I Had My Way' and 'Women Without Names.' 'The Line Has Wings' was jerked at the Omaha as second feature after three days. 'Steps at Sea' replaced Saturday (U). Golden Bids week may help it.

Publicist Ted Eversen staged a colorful and exciting lobby horse derby in the entire block front of the Omaha the day 'Buck Benny' opened. More than a score of ladies all dressed for the occasion mounted the horses and went through a series of races for cash prizes, a crowd estimated at about 4,000 looking on for laughs and cheering the girls along. Best proof of the effectiveness of the stunt was the rush for the theatre's turnstiles after the races.

Estimates for This Week

Omaha (Tri-State) (LNU): 15-25-40—'Buck Benny' (Par), 'Tim Wingo' (U) (withdrawn) and 'Saps' (U) (U). Should get good \$10,000. Last week, 'Miss Dalante' (M-G) and 'Congo Melod' (M-G), fair \$12,000. Brundage (M-G) (LNU): 15-25-40—'300 Divorcement' (RKO) and 'Angel Tress' (WB). Not so good, with light \$4,000 in prospect for the week. Last week, Doctor

Takes Wife' (Col) and 'Curtain Call' (RKO), just fair \$4,000.

State (LNU) (20): 15-25-40—'Furber' (RKO) (M-G) and 'Singsong' (U) (U) split with 'Lancelotti' (U) and 'Curtain Call' (RKO). Looks like fair \$12,000. Last week, 'Buck Benny' (Par) and 'Theresa' (WB), split with 'Broadway Melody' (M-G) and 'Grapes' (RKO), turned in little under \$12,000, fair.

Regard (Tri-State) (LNU): 15-25-40—'My Way' (U) and 'Women Without Names' (Par). Should get fair \$8,000, even with all the fun in the streets Golden Bids days. Last week, 'Johnny Apple' (RKO) and 'Diamond' (Par), \$12,000, 10-15.

Tri-State (LNU) (20): 15-25-40—'Married Love' (RKO), 'Ballets' (RKO) and 'Mad Empress' (WB), split with 'Young Foe' (RKO) and 'Black Beauty' (Ind.). Light \$12,000. Last week, 'Telegraph Trail' (Ind.), 'Lone Wolf Stripes' (Col) and 'Vigil Night' (RKO), split with 'Dance Around' (M-G), 'On Dress Parade' (WB) and 'Swiss Family' (RKO), \$12,000.

Military Avenue-Brundage (LNU) (20): 15-25-40—'Furber' (RKO) (M-G) and 'Honeycomb' (WB), split with 'Young Foe' (RKO), 'Singing' (WB) and 'Blonde' (WB). Light \$12,000. Last week, 'Dr. Dribble' (WB) and 'Theresa' (WB), split with 'Broadway Melody' (M-G) and 'Grapes' (RKO), a little under \$12,000.

Wife-Apollon Fairish \$13,000 In N.S.G. Balto.

Baltimore, May 14.

With the Freshman drawing 45-500 in the Pardon race round Saturday (U), and the circus slated to hit a three-day date beginning yesterday (Monday), first-run generally are taking it on the chin here. Best response is noted for comic 'The Doctor Takes a Wife' that to Dave Apollon unit at the Hippodrome with eight-time trade promising to help matters toward a fairish take.

Second week of 'Buck Benny Rides Again' at Kall's is strong, but 'Twenty Mile Truce' is just pulling along in spite of ambitious pre-opening advertising campaign at Century. Best of week, blank.

Estimates for This Week

Century (LNU) (U): 15-25-40—'Mule Team' (M-G). Not getting far in spite of extra heavy advance promotion, with mid \$12,000 the most expected. Last week, 'Kidnapper's Case' (M-G), mid \$12,000.

Hippodrome (Regard) (LNU): 15-25-40-45-46—'Doctor Takes a Wife' (Col) plus Dave Apollon Street. Cautious in an eight-time response for fairish \$12,000. Last week, stand-out of 'Prisoner's Case' (RKO) and 'vande', added fairish \$12,000 to fair \$12,000.

Regard (Schubert) (LNU): 15-25-40-45—'Buck Benny' (Par) (2nd wk.). Holding strong pace to okay \$12,000, after solid opening round to \$12,000.

New (Mechanic) (LNU): 15-25-40-45—'Outback' (Ind.). N. G. \$12,000 for this import. Last week, 'Adventure' (RKO), triple \$12,000.

Shawley (WB) (LNU): 15-25-40-45—'Saturday's Children' (WB). Not very exciting at \$12,000. Last week, 'Meet Again' (WB), N. G. \$12,000.

Port. Dull, But 'Benny', 7G, 'My Son', 4 1/2 G. OK

Portland, Ore., May 14.

Benny still in the depths, with nobody able to blame anything but spring weather.

'Buck Benny Rides Again' at Paramount, and 'My Son, My Son' at Broadway, are best bet. both.

Estimates for This Week

Broadway (Par) (LNU): 15-25-40—'My Son' (U) and 'Saps' (U) (U). Holding house up to good \$4,000. Last week, 'Kidnapper's Case' (M-G) and 'M. Mothers' (M-G), average \$4,000.

Liberty (Hamrick-Evergreen) (LNU): 15-25-40—'Johnny Apple' (RKO) and 'Jones Family' (RKO). Average \$12,000. Last week, 'Star Dust' (RKO) and 'Diamond' (Par), \$12,000.

Mayfair (Parker-Evergreen) (LNU): 15-25-40—'Mule Team' (M-G) and 'Girls Broadway' (M-G). Moved from UA and show par at \$12,000. Last week, 'Shooting High' (RKO)

and 'Western Star' (Par) average \$12,000.

Oryphon (Oryphon Co.) (LNU): 15-25-40—'Grumpy Town' (RKO) and 'Curtain Call' (RKO), with vande. Good enough \$4,000. Last week, 'Old Missouri' (RKO) and 'Hail Slime' (U), and vande, \$12,000.

Paramount (Hamrick-Evergreen) (LNU): 15-25-40—'Buck Benny' (Par) and 'Opened Mistake' (Par). Good pair may hold two weeks. Big \$12,000. Last week, 'Tress' (RKO) and 'Free Blonde' (RKO), closed 11 days for gross \$12,000.

Buffalo Improves; King-Meet Again Fair at \$17,000

Buffalo, May 14.

(Best Explanation Buffalo)

Downside which materials have taken on a healthier hue for the current outlook, with several spots displaying plenty of backbone. Majority of engagements continue to hang out winners as screen here and it looks as though there have become regulation fare for rest of the season.

Wayne King is at the Buffalo with 'We Meet Again,' but fairly well under recent comparative hand figure. Outlook for Doctor Takes a Wife' at Lafayette, is on very solid. House across the Bay' is proving sturdy dish at Great Lakes, and 'Mistress B. C.' is rolling along at size lot at Hipp.

Buffalo did meet exploitation stunt in connection with first local television demonstration at Edwards Department Store. Wayne King and the Tanager Sisters were interviewed and drew extensive reading and display space.

Estimates for This Week

Buffalo (LNU) (20): 15-25-40—'Meet Again' (WB) and Wayne King's with. Stage show is helping gross to fair \$17,000. Last week, 'Buck Benny' (Par), \$12,000, fair. Great Lakes (Ind.) (LNU): 15-25-40—'Arrow Bay' (U) and 'Angel Tress' (WB). Riding to near \$12,000. Last week, 'Mule Team' (M-G) and 'Jones Family' (RKO), very good \$12,000.

Hipp (Ind.) (LNU): 15-25-40—'Mistress B. C.' (U) and 'Opened Mistake' (Par). Over \$12,000, good enough. Last week, 'Curtain Call' (RKO) and 'Over Moon' (U), \$12,000, fair.

Lafayette (Regard) (LNU): 15-25-40—'Doctor Takes a Wife' (Col) and 'Mule Team' (M-G). Should keep steady \$12,000. Last week, 'Days Together' (Col) and 'Fugitive Lady' (Col), slow \$12,000.

Mid Century (Dunham-Bull) (LNU): 15-25-40—'Tress' (RKO) and 'Fugitive Lady' (Col). Spent six days at \$12,000. Last week, glimmering \$12,000.

Favorite Wife' Hot \$9,500, Tops Seattle

(Best Explanation Oryphon)

Seattle, May 14.

With the showmanship drive' getting into high, there is a slight bit improvement, but nothing to rave about. The town is a bit too carried over world affairs for sustained show going, although similar attractions are doing okay.

Exploitation actually goes to Oryphon for 'Dr. Cyphus' \$12,000 miniature 'newspapers,' a fascicle of the Post Intelligence Press page, being printed and distributed for Postal messengers in downtown offices and stores. Local gag thought not by Via Gaillard was to have Daily Star drama editor project himself into a miniature man, in 'C' rings' does to his victims. Story and art is star line of difficulties the day follow had getting around town after the shocking process made him 15 inches in height.

Estimates for This Week

New Moon (Hamrick-Evergreen) (RKO): 15-25-40—'Tress' (RKO) and 'On Own' (Ind.). Movement from First Avenue getting good \$12,000. Last week, 'Apple' (RKO) and 'M' (U), third week, \$12,000, okay.

Callahan (Hamrick-Evergreen) (LNU): 15-25-40—'Young Widow' (M-G) and 'Honey Bay' (U) (M-G). Last week, 'Grapes' (RKO) and 'Ghost House' (M-G), second run, \$12,000, good.

First Avenue (Hamrick-Evergreen) (LNU): 15-25-40—'Favorite Wife' (RKO) and 'One Beautiful Girl' (M-G). Anticipates great \$12,000. Last week, 'Tress' (RKO) and 'On Own' (Ind.), second week, \$12,000, okay.

Liberty (LNU) (20): 15-25-40—'Mistress B. C.' (U) and 'Over Moon' (U). Big business on M-G and indicates good \$12,000. Last week, 'Hushabye' (Col) and 'Curtain Call' (RKO), third week, \$12,000, okay.

Wade Rex (Hamrick-Evergreen) (RKO): 15-25-40—'300 Divorcement'

Neagle's P.A. Helps 'Irene'-Vande Lead Frisco With Good \$17,000

(RKO). Getting only \$1,000, 10-15-20, in five days and being ranked.

Last week 'Prisoner's Case' (RKO) and 'Farmer's Daughter' (Par), second week, \$12,000, fair.

Oryphon (Hamrick-Evergreen) (LNU): 15-25-40—'Dr. Cyphus' (Par) and 'Shooting High' (RKO). Anticipated good enough \$12,000. Thanks to lobby. Last week, 'Angel Tress' (U) and 'Lone Daring' (RKO), plus 'Mule Team' (M-G) and 'La Vie Paris' (U), big \$12,000.

Palmer (LNU) (LNU): 15-25-40—'Meet Again' (WB) and vande. Facing for good \$12,000. Last week, 'Fugitive Lady' (Col) and 'Big House' (M-G), plus vande, \$12,000, fair.

Paramount (Hamrick-Evergreen) (LNU): 15-25-40—'Buck Benny' (Par) and 'Honeycomb' (WB). (U) (U) split. Wonderful \$12,000 in sight. Last week, great \$12,000.

Shawley (LNU) (20): 15-25-40—'Dark this week for renovations. Last week 'Union Pacific' (Par) and 'Grumpy Gun' (WB), second run, \$12,000, good.

Wilder Garden (LNU) (20): 15-25-40—'Virginia City' (WB) and 'V. Johnny' (U) (U) (U). Expect good \$12,000. Last week, 'Cafe Hooch' (Col) and 'Women Secrets' (Par), \$12,000, good.

Sun Clips Indpls. Dr. Wife-'Girls' Only Fair \$8,000

Indianapolis, May 14.

(Best Explanation LNU)

The gasoline merchants are getting the coin this week as the gasoline prompt people to take to the open road. LNU is only fair doing 'Doctor Takes a Wife' and 'Two Girls On Broadway.' Indiana is under expectations with 'If I Had My Way' and 'Young Agent.' Circle is doing okay with a holdover from the Indiana of 'Buck Benny' and 'Opened Mistake.' LNU has the red ink out with 'Dark Command' and vande.

LNU's departed from the exploitation short this week with a couple of unusual items. Circle passed out 5,000 capsules on 'Doctor Takes Wife,' inferring that pic would be a tonic. Also got laundry window on main stem in one of town's biggest department stores.

Estimates for This Week

Circle (Katz-Dale) (LNU): 15-25-40—'Buck Benny' (Par) and 'Opened Mistake' (Par) (U) (U). Col first showing at Indiana. Okay \$12,000 here. Last week, 'Adventure' (RKO) and 'Blue Bird' (RKO), poor \$4,000.

Indiana (Katz-Dale) (LNU): 15-25-40—'If I Had My Way' (U) and 'Young Agent' (U). Grumpy pic gives the breaks in publicity, but disappointing at \$12,000. Last week, 'Buck Benny' (Par) and 'Opened Mistake' (Par), very good \$12,000.

LNU's (LNU) (LNU): 15-25-40—'Doctor Wife' (Col) and 'Girls Broadway' (M-G). Just fair \$12,000. Last week, 'Mule Team' (M-G) and 'Thunder' (LNU), week \$12,000.

LNU (LNU) (LNU): 15-25-40—'Dark Command' (RKO) and vande. Poor \$12,000. Last week, 'Hushabye' (Col) and 'Vigil d'Night', also in the red at \$12,000.

Propaganda Pix

Continued from page 1.

captured world market because of their superior entertainment values. Crown-examined about profits of theatres. Halligan quipped that he prefers to call it 'showing of her' and that his dreams are haunted by demons chasing him with bottles of red ink.

Canada's Propaganda Stand

Toronto, May 14.

In order to eradicate any possibility of screen propaganda, all foreign films, with the exception of French-made, are banned, as announced by chairman G. J. Silverthorn of the censor board. Jewish language films are not classed as foreign, chairman Silverthorn states.

Nativity, his pronounced anti-semitic reference to American films as being 'foreign,' as item of international legality which, from the Dominion's hands across-the-border viewpoint, is understandable. Canada exhibits some 1,200 American-made features a year; some 20 Empire-made flickers.

San Francisco, May 14.

'Irene,' with vande at Golden Gate, is only new pic which will get good into this week. Based on personal appearance of Anna Neagle, it will really make \$17,000. 'Buck Benny,' at Fox, topped all Market Street grosses last week with \$12,000 and will hold to size \$12,000 in second week.

It looks like 'Behemoth' will stick around for another two or three weeks at United Artists. It's still going strong in eighth week at a little below \$7,000.

Estimates for This Week

Fox (F-WC) (LNU): 15-25-40—'Buck Benny' (Par) and 'Tear Gas Squad' (WB) (M-G). Should do okay \$12,000. First week, excellent \$12,000.

Golden Gate (RKO) (LNU): 15-25-40—'Irene' (RKO) and vande. Should get size \$17,000. Last week, 'Escape From Paris' (RKO) and vande, poor \$12,000.

Regard (F-WC) (LNU): 15-25-40—'My Way' (U) and 'Honeycomb' (WB). Fair \$11,000. Last week, 'Doctor Wife' (Col) and 'Mule Team' (M-G), below average \$12,000 in second week.

Paramount (F-WC) (LNU): 15-25-40—'Buck Benny' (Par) and 'Mule Team' (M-G). Okay at \$14,000. Last week, 'Johnny Apple' (RKO) and 'Star Dust' (RKO), more-over, size \$12,000.

St. Francis (F-WC) (LNU): 15-25-40—'Last Horizon' (Col) (crash). May do \$12,000, which is okay for this picture. 'Dark Command' (RKO) and 'Angel Tress' (WB), moreover, better than \$12,000.

United Artists (LNU): 15-25-40—'Behemoth' (U) (M-G). Will pull size \$12,000. Last week, same figure.

Warfield (F-WC) (LNU): 15-25-40—'Furber' (RKO) and 'Grumpy Gun' (WB). Very poor \$12,000. Last week, 'Saturday's Children' (WB) and 'Sun Hazy' (M-G), very poor \$12,000.

TRENE, \$10,000, NICE IN CINCY

Cincinnati, May 14.

For the first time in many years all major houses have fresh releases. Trade in general is much better than last week, despite prevalence of summer temperatures in first half.

Current topper is 'Buck Benny Rides Again,' which is reaching up a good \$12,000. Palace has a nice copy in 'Irene,' and 'Dark Command' is doing okay in the Standard. Under par are 'Over Moon' at Capitol, 'If I Had My Way' at Kall's, and 'Two Girls On Broadway' at the Lyric.

Estimates for This Week

Albee (RKO) (LNU): 15-25-40—'Buck Benny' (Par), eight days. Good \$12,000. Last week, 'M. Mothers' (M-G), marked after fourth day; \$12,000, week's worst for this stand.

Capitol (RKO) (LNU): 15-25-40—'Over Moon' (U). Poor \$12,000. Last week, 'My Son' (U) (M-G), fair \$4,000.

Family (RKO) (LNU): 15-25-40—'Mistress' (RKO) and 'Hail Slime' (U), split with 'Millennium Playhouse' (RKO) and 'Merry Place' (RKO). Warm-weather level at \$12,000. Dime last week on 'Viva Chew Kid' (RKO) and 'Making Eyes' (U), divided with 'British Intelligence' (WB) and 'Midnight Limited' (M-G).

Kall's (LNU) (LNU): 15-25-40—'Case True' (WB). Slow \$4,000. Last week, 'Honeycomb' (WB) (U), very good \$12,000.

Lyric (RKO) (LNU): 15-25-40—'Girls Broadway' (M-G). N.G. \$12,000. Last week, 'Wayward Tomorrow' (RKO), six days and \$12,000.

Palace (RKO) (LNU): 15-25-40—'Tress' (RKO). Slow \$12,000. Last week, 'Crime' (Par), sagged in last half to \$12,000, fair.

Shubert (RKO) (LNU): 15-25-40—'Dark Command' (RKO) (U) (U). Last week, 'Behemoth' (U) (U) (U), and \$12,000.

U Scribes Assigned

Hollywood, May 14.

Nine writing assignments were handed out at Universal over the weekend for early summer production.

Scripters and their stories are: Fred Rinaldo and Robert Lee to 'The Invisible Woman'; George O'Sullivan to 'Rock Street'; Sam Rabin to 'Merry Squad'; Fred MacLean and Arth South to 'The Green Hornet Strikes Again'; and George Plympton and Paul Dickey on an untitled serial.

War Fever Sloughs Philly, But 'Hubbies' Nifty \$15,800; 'Divorcement' N. G. 8 1/2 G

Philadelphia, May 14.
(Best Exhibition: Boyd)

With customers sticking close to their values to get the latest news on the war, local exhibitors are taking a short-cut on all along the line. Safety features and the annual dogwood display at Valley Forge are also taking a huge slice out of the box.

Only newcomer in the blue chips is "Two Many Hubbies," which had the advantage of a smart exploitation campaign. A time was made with Philly theater, in which a contest was held for the "Most Perfect Husband." For two weeks readers and in six and starting about their names. The best 10 were chosen and were guests at a gala dinner at the Warwick hotel and at a broadcast over KTW.

"Saturday's Children," "Blondie on a Budget" and "Bill of Divorcement" are taking the brunt of the lulling.

Key City Grosses

Estimated Total Gross
This Week.....\$1,221,199
(Based on 23 cities, 178 theaters, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,373,000
(Based on 23 cities, 187 theaters)

DUNNE-GRANT HOT \$9,000 IN K.C.

Kansas City, May 14.
Henry Dunne's band is at the Tower with a slightly altered admission price. House has operated since opening last fall at price of 25c at all times, but for this one has a 25c night up with the nation. A former stand of this band here at 40c the scale rang up a sturdy figure, and current date with "Viva Camp Kid" is ringing up best house but had under its present management.

Star value of Irene Dunne-Cary Grant means pulling "My Favorite Wife" at the Orpheum into the money and it will hold. Second feature is just along for the ride.

Unusual spring audience continues.

Estimates for This Week
Singer (Fox Midwest) (22); 10-15-40; "Adventures" (20); and "Western Stars" (Fox). Light pair and late show \$2,000. Last week, "My Way" (U), eight days, fair \$1,400.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Orpheum (RKO) (18); 10-15-40; "Favorite Wife" (RKO) and "Captain Cal" (RKO). Name value here and word of mouth helping to large \$2,000 and holdover. Last week, "Tessie" (RKO) and "Kenny Rogers" (U), satisfactory despite adverse notices at \$1,000.

Tower (Judy) (11); 10-15-40; "Viva Camp Kid" (20th) with Henry Dunne and band on stage. Suggested stage name put brought in for present management. Eight advance in admission will help to \$2,000, strong. Last week, "On Own" (20th) and "Tessie" (RKO), average \$2,000.

Uptown (Fox Midwest) (13); 10-15-40; "Adventures" (20th) sold in current to usual policy of day and dating with Empire. Midweek \$2,000. Last week, "My Way" (U), eight days, got \$1,500 as its share of day-and-date setup.

COWBOY BENNY CLICKS IN MEMPHIS AT \$7,000

Memphis, May 14.
The gun boys are doing all right in Memphis this week. Jack Benny's current show "renewed" "Dark Benny Rides Again" is setting the town a new pace with its draw at the New Main, with Tyrone Power's dog-and-cat extravaganza, "Johnny Apple" and its behind at Lora's.

Benny's national here is considerably improved here by the presence of Buchanan, who is bringing out the Negro trade in droves.

Estimates for This Week
Lauriat (Lauriat) (18); 10-15-40; "Johnny Apple" (20th). Power-Lauriat picture has been fairly well received, even though some notices were weak. Should do good \$2,000. Last week, "Tessie" (RKO) (UFA) \$4,000, weakish.

Warner (Warner) (13); 10-15-40; "Armed and Dangerous" (WB) and "Test Car Squad" (WB). Franchise actually holding back for Memphis. Lucky to make \$1,000. Last week, "Saturday's Children" (WB), \$2,000, good.

New Main (Lauriat) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

'40 Mothers' Okay \$7,000 in Montreal

Montreal, May 14.
New trend is being established for 1,100-wire radio Orpheum currently for playing "Bellevue" for eight weeks.

Outside of Eddie Cantor gig at Palace, nothing special at other houses.

Estimates for This Week
Palace (CT) (17); 10-15-40; "40 Mothers" (UFA). Good \$7,000 in eight. Last week, "Dark Benny" (Fox), good \$2,000.

Orpheum (CT) (17); 10-15-40; "Dark Command" (Rex) and "Ma" (U). Not house for westerners, \$2,200 \$4,000 locally. Last week, "Mort Again" (WB) and "Cheer Up" (WB), fair \$2,000.

Lauriat (CT) (17); 10-15-40; "Tessie" (RKO) (24 wk.). Fair \$2,000 after good \$7,000 last week.

Princess (CT) (17); 10-15-40; "Star Dust" (20th) and "True Blood" (20th). Facing for just fair \$2,000. Last week, "Dark Benny" (U) and "Seven Gables" (U), average \$4,000.

Orpheum (UFA) (17); 10-15-40; "Bellevue" (UFA) (20 wk.). Good \$2,000, after nice \$2,500 last week, establishing record run for house.

Chateau de France (France-Film) (10); 10-15-40; "Puncher des Vaches" (24 wk.). Facing for \$1,000, after good \$1,200 last week.

St. Denis (France-Film) (13); 10-15-40; "La Vie au Magnifique" and "L'Esperance". Unable to be shown at fair \$4,000. Last week, "Bellevue" (UFA) and "Ure Main's Frigade" (UFA), poor \$1,000.

BENNY, \$7,000, FAIR IN DUL L'VILLE

Louisville, May 14.
Downtown houses are running along at a slow pace excepting, with various factors contributing to the general lull in business. Most important item looks to be just now product, next could be the rain, which have had favorable weather and drawing well at Churchill Downs. There a political speech Saturday (11) at the Jefferson County Armory by Thomas E. Dewey drew about \$4,000, not helping the box.

"30 Made Team" is only fair at Lora's State, as is "Dark Benny" at the Midland. Other first-runs are under average.

Estimates for This Week
Singer (Lauriat-Fourth Avenue) (18); 10-15-40; "Favorite Wife" (RKO) and "Saint Take" (RKO). Retaining calendar take, after terrible week at Midland. Should top \$2,000. Last week, "My Way" (UFA) and "Outsider" (Columbia), average \$1,700.

Kentucky (Singer) (10); 10-15-40; "Gracie" (20th) and "Young Fool" (20th). Fair showing some money and indications are for day \$1,700. Last week, "Chickadee" (U) and "Vigil Night" (RKO), picked up some new Derby trade to register pleasing \$1,000.

Lauriat State (Lauriat) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Orpheum (RKO) (18); 10-15-40; "Favorite Wife" (RKO) and "Captain Cal" (RKO). Name value here and word of mouth helping to large \$2,000 and holdover. Last week, "Tessie" (RKO) and "Kenny Rogers" (U), satisfactory despite adverse notices at \$1,000.

Tower (Judy) (11); 10-15-40; "Viva Camp Kid" (20th) with Henry Dunne and band on stage. Suggested stage name put brought in for present management. Eight advance in admission will help to \$2,000, strong. Last week, "On Own" (20th) and "Tessie" (RKO), average \$2,000.

Uptown (Fox Midwest) (13); 10-15-40; "Adventures" (20th) sold in current to usual policy of day and dating with Empire. Midweek \$2,000. Last week, "My Way" (U), eight days, got \$1,500 as its share of day-and-date setup.

Warner (Warner) (13); 10-15-40; "Armed and Dangerous" (WB) and "Test Car Squad" (WB). Franchise actually holding back for Memphis. Lucky to make \$1,000. Last week, "Saturday's Children" (WB), \$2,000, good.

New Main (Lauriat) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Pix As Much to Blame As Heat For Low L. A. Biz; 'Kildare', 13 1/2 G, 'Flight', \$11,800, 'Swiss' OK 17 1/2 G

Broadway Grosses

Estimated Total Gross
This Week.....\$124,399
(Based on 13 theaters)
Total Gross Same Week
Last Year.....\$132,199
(Based on 13 theaters)

DET. SLUMPS; CROSBY FAIR \$12,000

Detroit, May 14.
Business has petered out here again because of spring weather.

After the Michigan got a terrible week with the Maras, which marked the return of sandville to the first-run, the Fox is looking ahead to its resumption of venue with the Ted Lewis troupe on Friday (17). The occasional variety probably will stir some lively box during the sluggish months.

Estimates for This Week
Adams (Belmont) (17); 10-15-40; "Dark Command" (Rex) and "Dr. Wily" (Columbia) (24 wk.-2d run). Being pulled here after having first-run at Fox. Expectations aren't above \$2,000, after doing only \$4,000 last week.

Fox (Fox-Midnight) (18); 10-15-40; "My Way" (U) and "My Patrol" (U). Crosby's steady draw here has been \$14,000 up to \$12,000. Last week, "Adventures" (20th) and "Shooting High" (20th), \$11,800.

Midland (United Detroit) (18); 10-15-40; "Dark Benny" (Fox) and "Adventures Diamonds" (Fox). Looking for nothing more than fair \$12,000. Last week, "Mort Again" (WB) and "Reverend" (Fox), showed Detroit really wanted sandville with wallowing \$2,000.

Palmer-Rose (United Detroit) (18); 10-15-40; "Dr. Cyclops" (Fox) and "Woman Hunter" (Fox). This pair moved in Tuesday (11) to cut short run of "Chatterbox" (RKO) and "Meet Again" (WB) (2d run). Later pair picked up \$2,000 for four days, with expectations of \$1,000 on the 10 days for new pair.

United Artists (United Detroit) (18); 10-15-40; "30 Made Team" (M-G) and "One Beautiful" (M-G) (2d wk.). Looking for \$2,000, after good \$1,500 on first week.

'BUCK BENNY', \$14,000, BEST IN FAIR DENVER

Denver, May 14.
"Dark Benny Rides Again" is smashing through at the Denison to easily lead town in box. Film will box.

Estimates for This Week
Adams (Fox) (18); 10-15-40; "Meet Again" (WB), after work at Denver, and "Dagmar" (UFA). Fair \$2,000. Last week, "My Way" (UFA) and "High School" (20th), after work at Denver, poor \$4,000.

Broadway (Fox) (18); 10-15-40; "30 Made Team" (M-G) and "Girl Broadway" (M-G). After work at Orpheum. Fair \$2,000. Last week, "Tessie" (RKO) and "Cheer Up" (WB), after work at Orpheum, fair \$2,000.

Decker (Columbia) (17); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Orpheum (RKO) (18); 10-15-40; "Favorite Wife" (RKO) and "Captain Cal" (RKO). Name value here and word of mouth helping to large \$2,000 and holdover. Last week, "Tessie" (RKO) and "Kenny Rogers" (U), satisfactory despite adverse notices at \$1,000.

Los Angeles, May 14.

Marlin it was the narrative best over the weekend and maybe the lack of outstanding film, but the first-run are not breaking any records currently. Best grosses are being piled up by the holdovers, "Come With the Wind" and "Bellevue". Only newcomers to check is "Doris Fennell Robinson".

New Haven theatre on Hollywood Blvd. is the latest of the local slumps, first to be built in Hollywood to past 10 years. Gelson & Nelson, who have for some time operated the neighborhood run Marlin, now blocks away, are operating the Haven and are going to maintain first-run policy as long as product holds out.

Estimates for This Week
Cathay (UFA) (F-WC) (18); 10-15-40; "Come" (M-G) (20th wk.). Holding up well despite heat and, unless box takes a massive later in week, will probably hit big \$12,000. Last week, very good \$12,000.

Uptown (Grossman-F-WC) (18); 10-15-40; "30 Made Team" (M-G) and "True Blood" (20th). 20th \$12,000.

Decker (WB) (18); 10-15-40; "30 Made Team" (M-G) and "True Blood" (20th). 20th \$12,000.

Four Star (UFA-F-WC) (18); 10-15-40; "30 Made Team" (M-G) and "True Blood" (20th). 20th \$12,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Orpheum (RKO) (18); 10-15-40; "Favorite Wife" (RKO) and "Captain Cal" (RKO). Name value here and word of mouth helping to large \$2,000 and holdover. Last week, "Tessie" (RKO) and "Kenny Rogers" (U), satisfactory despite adverse notices at \$1,000.

Tower (Judy) (11); 10-15-40; "Viva Camp Kid" (20th) with Henry Dunne and band on stage. Suggested stage name put brought in for present management. Eight advance in admission will help to \$2,000, strong. Last week, "On Own" (20th) and "Tessie" (RKO), average \$2,000.

Uptown (Fox Midwest) (13); 10-15-40; "Adventures" (20th) sold in current to usual policy of day and dating with Empire. Midweek \$2,000. Last week, "My Way" (U), eight days, got \$1,500 as its share of day-and-date setup.

Warner (Warner) (13); 10-15-40; "Armed and Dangerous" (WB) and "Test Car Squad" (WB). Franchise actually holding back for Memphis. Lucky to make \$1,000. Last week, "Saturday's Children" (WB), \$2,000, good.

New Main (Lauriat) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

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DAYLIGHT CLIPS PROV.; BEERY-CANTOR OK 10G

Providence, May 14.
Daylight saving time is apparently pinching theatres. Attendance is fast approaching usual summertime low.

About the best grosses in town are "Dark Benny," which is in its second week at the Standard, and "30 Made Team," at Lora's State. RKO Allen was caught with a couple of hours, "Return of the Frog" and "Damon Barker of Fleet Street," and switched today Tuesday to "Tessie" and "Alone the Ocean".

Estimates for This Week
Adams (RKO) (17); 10-15-40; "Tessie" (RKO) and "Alone the Ocean" (U). Opening (1st). "Return of the Frog" (RKO) and "Damon Barker of Fleet Street" (RKO) (Imp) ranched after \$1,000 five-day run. Last week, "My Way" (U) and "Kenny Rogers" (U), good \$2,000.

Carlson (Fox-Lauriat) (18); 10-15-40; "Girl Broadway" (M-G) and "Florian" (M-G) (2d run). Only one in \$2,000. Last week, "Johnny Apple" (20th) and "Tessie" (RKO) (UFA) (2d run), fair \$2,000.

Fox (Indis) (18); 10-15-40; "Tessie" (RKO) (24 wk.-2d run) and "Kenny Rogers" (U). Opening (1st). "Return of the Frog" (RKO) and "Damon Barker of Fleet Street" (RKO) (Imp) ranched after \$1,000 five-day run. Last week, "My Way" (U) and "Kenny Rogers" (U), good \$2,000.

Midland (Lauriat) (18); 10-15-40; "Kiddie's Case" (M-G) and "Girl Broadway" (M-G). 9c-10c \$7,500. Last week, "Doctor Wife" (Columbia) and "Over Moon" (UFA), \$2,000, and best.

Newman (Paramount) (18); 10-15-40; "Dark Benny" (Fox) (20 wk.). Added by week preview on Friday \$2,000 for current week good, following opening week \$2,000.

Orpheum (RKO) (18); 10-15-40; "Favorite Wife" (RKO) and "Captain Cal" (RKO). Name value here and word of mouth helping to large \$2,000 and holdover. Last week, "Tessie" (RKO) and "Kenny Rogers" (U), satisfactory despite adverse notices at \$1,000.

Tower (Judy) (11); 10-15-40; "Viva Camp Kid" (20th) with Henry Dunne and band on stage. Suggested stage name put brought in for present management. Eight advance in admission will help to \$2,000, strong. Last week, "On Own" (20th) and "Tessie" (RKO), average \$2,000.

Detroit Ama

Continued from page 1

leads brought on a "Battle of the Bands," a Sunday afternoon contest which overflew the place with their singers and swing-conscious customers. It gave them a big customer.

In fact that is only a sample of how the amateur boys looking to the already overfull crowd. Even with one hand selected, Barkers found himself with such a wealth of young talent that he picked back his customers' names themselves and ran a week of amateur, he overflew crowd to determine an eventual winner. District of winning up with just as he had to take over the amateur for a solid week, which meant only a photography but most profitable.

Start on 'Reuter' Pic

Hollywood, May 14.
The Main Drive Fleet Street, a tale of the British agency, harbinger of today's news syndicates, went before the cameras at Warner, with Edward G. Robinson playing the Reuter role.

William Dieterle directs and Edna Best has the female lead.



"The Picture
of the Month—
a great
achievement!"

says
*Redbook
Magazine*

THE FLOODLIGHTS OF THE INDUSTRY'S INTEREST ARE TURNED ON

BOSTON

...selected by Sol Lesser for the

WORLD PREMIERE

of his distinguished production of the
great Pulitzer Prize play

at Loew's State and Orpheum Theatres

Thursday, May 23rd

OUR TOWN

From the play by Thornton Wilder

starring WILLIAM HOLDEN • MARTHA SCOTT
with FAY Bainter • BEULAH BONDI • THOMAS MITCHELL
GUY KIBBEE • STUART ERWIN • FRANK CRAVEN

Directed by SAM WOOD ("Goodbye Mr. Chips") Released thru UNITED ARTISTS

3 B'S BIFF CINCY'S B.O.

Back-to-Barnum Ballyhoo Urged By WB's Silver; Theatres-Exchanges

Albany, May 14.

Transfer of the western district headquarters of Warner's N.Y. State Division from Jamestown to Elmira, effective June, was announced by executive manager Moe Silver at a meeting of managers in Buffalo last week. Home managers from Albany, Troy and Utica gathered here Tuesday (14) for a similar pre-conference with Ralph Crabill, western district manager, will shift his office to the Strand, Elmira. That is a second-run house. Warner's having two Elmira first runs, the Kasey and the Regent. The main upstairs office as well as the eastern district headquarters will continue to be maintained in Albany. Charles A. Berkowitz is district manager in this field.

In Buffalo, Silver stressed the importance of exploitation and ballyhoo, especially during the warm period. He declared that a definite shortage of product is already evident and that it will grow more acute during the coming months. He, therefore, called for a revival of "tried and true attention-getting stunts" and "back to Barnum" ballyhoo. Necessity for even stricter operating economy was also underlined by Silver. In a telegram, general manager Joe Berthold called upon the managers to increase rather than slacken their pace, to keep up ground. John Carley, advertising-publicity director, James P. Fawcett, contact manager, and Max Friedman, chief booker, were others from Albany office who attended the Buffalo meeting.

Managers handling 17 theatres were present.

Refinancing of Palace theatre building has been undertaken by Cops Realty Corp., N. Y., with recording in local county clerk's office of a \$200,000 mortgage from Cops to Republic Life. A mortgage for \$100,000 from Cops to the Providence Securities, Inc., has been subordinated to the new one, according to papers filed at same time. Amount due on this mortgage, obtained in August, 1931, was approximately \$100,000, as of March 1.

New mortgage carries 6% interest. It is to be liquidated at rate of \$4,333.33 a month, over a 10-year period beginning July 1. Neale F. Tawner, Albany attorney, filed the mortgage papers. The Palace, projected by RKO interests before the stock market crash in the fall of 1929 but not completed until 1931, is the largest theatre in this area. It has several ground floor stores. Public shade is present in lobby as well as of RKO's Belvedere. Another big theatre built a little later.

Fay's A. R. House Opening

San Diego, May 14.

Thursday (14) set as opening date for remodelled Savoy recently acquired by Bryan Fay. Nations are getting taste of Hollywood exploitation re opening of vaudeville, publicity stunts, elaborate "electronic" effects will rival those of Radio City Music Hall.

Shen Fances Along to Tex

Dallas, O., May 14.

Effective immediately Shen's Ballyhoo and State have and the Union at New Philadelphia passed along the 12 state amusement tax to paymen. Tax previously had been included in the regular 25, 30 and 35c admissions. For years we have been shortening this tax, paying it out of our own pocket, a burden of 2% on our receipts," the Shen explanation said. "We Ohio theatre have been, of course, some in the larger cities. With the strong trust of Hollywood product we are forced to make a slight adjustment to our prices," the Shen-paper announcement said.

FBI Fatties' Pic Shortage

Pittsburgh, May 14.

Shortage of product will again haunt the Fatties, Shen-Hyde attractions. For several weeks the downtown Shattering expected to take place first of month, with reopening likely before middle of August. Fatties gets only one-third of 20th-Fox product and 30% of Universal locally but has a no-luckier than usual this year, drawing lot of film from Loew-WB past as well as product from produced by nine-week engagement of "Gone" at Warner. During shutdown, John Walsh, house manager, will serve as casual relief man over the Shen-Hyde circuit.

Former Congressman Joseph Gray, crime exhibitor of nearby Squawby, Democratic nominee for spot in (Continued on page 24)

Einfeld East After Stop In So. Bend on 'Rockne'

Charlie Einfeld due in New York after stops at South Bend, Ind., to see members of the family of the late Knute Rockne and Rev. John Cavanaugh on 'Life of Knute Rockne.'

Warner's publicity-ad chief will stay next through the company's two sales conventions, one in Pittsburgh, the other Chicago.

\$100-Plate 'Li Russell' Dinner Will Benefit Variety Club's Camp

Pittsburgh, May 14.

Variety Club's pet charity, Camp O'Connell, summer spot for underprivileged boys, will get the proceeds from \$100 a plate dinner being tossed at William Penn hotel tonight (14) as part of two-day drive in connection with national world picnic of 'Lillian Russell.' Alice Faye and Edward Arnold will be guests of honor at event, which Jacques Haisman is supervising. He catered the original \$100 spread Diamond Jim Brady tossed for Li Russell at New York's old Coda des Beaux Arts.

While visiting newspapermen will be on the roll for the expensive coin, committee expects to dispose of at least 100 tickets at the advertised price to civic and social leaders, with 20th-Fox and Alvin Theatre, where premiere will take place tomorrow (Wed.), sharing all the expense and turning entire proceeds over to boys' camp.

John Harris, head of Harris Amusement Co., will fly state from Hollywood to Pittsburgh today on special plane, and out-of-town features are all expected in this morning. They'll be quartered at the William Penn hotel and leave Pittsburgh couple of hours after film's first showing.

CANADIAN BRANCH OF PIC PIONEERS STARTS

Toronto, May 14.

First meeting of the Canadian Picture Promoters was observed at the Royal York hotel without fanfare, idea being that it was a private party. Their qualifications for membership is 25 years connection with the picture industry.

Membership of the CPP in Canada is 122, all holding copper cards. Emphasis of the proceedings and one of the values of the film industry in Canada was J. J. Fitzgibbon, v.p. and director of theatre operations for P. P.-Canadians. Banquet was staged before the replica of an old-time nickelodeon of a quarter-century ago. Advertising drop curtains were loaned for the occasion by Mrs. Bruce Moore of the Grindley theatre, only woman associate of Canada's film industry willing enough to reveal that age which makes her eligible for membership in the CPP.

Wanger Pots Over Bally On UA Conventioneers

Walter Wanger really roused up exploitation tactics at the United Artists convention at New York this week. With interest in war developments at home which he had a United Press teletype printer machine installed in the Waldorf-Astoria just outside the door of the convention meeting room. Built around it was a large frame board plugging Wanger's 'Foreign Correspondent,' with just a put-out space through which conventioneers could see the machine to read latest news.

Several times during each day interrupted dispatches from United Press also were photographed and passed around on special 'Foreign Correspondent' letterheads.

BINGO, BOWLING AND BASEBALL

251 Bingo Parties in Month
Drew 270,164 and \$212,-
945 in Receipts—\$181,429
Net Profit!

OTHER WOES

Charlottesville, May 14.

Bigger N.Y. backers of cinema hit in this burg are bingo, baseball and bowling. How to offset this competition and win back patronage is something Cincy exhibitors can't figure out. In the meantime, however, promoters of the three it's are going right ahead in building receipts.

Police Chief Eugene Weatherly, whose department disbars and permits and keeps tabs on bingo parties, reported last week that April an all-time record high for attendance and gross receipts for these number-winning sessions. He reported that there were 251 sanctioned bingo parties during the month, with attendance numbering 270,164 and receipts totaling \$212,945. Prizes limited by a city ordinance, amounted to \$30,313, leaving net profits of \$181,429 for sponsors. Average cost per player was 28¢. Previous record bingo month was last November.

Night games and rise of the Reds last season in National League champions are not the only factors that upped the club's draw on the home lot in 1939 to slightly above the million mark for full admissions. That's an all-time peak here. Besides those attendance there were close to 130,000 female rulers who were allowed reduced rates of 25¢ for ladies' days. About 50,000 boys belonging to the Knottville Club were permitted to see several games free last year. Girls treatment also was extended boys and girls who serve in police, fire, fire and police school's traffic patrol squads.

Same setup for ladies' days, Knottville and school patrol kids give this season.

Night Games Start Late

Twilight and night games under lights on municipal fields, with no admission charges, are conducted for football leagues in all parts of town. They draw many thousands at nights during the warm weather.

Also making a bid for juve interest, with an eye to creating new customers for coming years, are bowling alley operators. Like theatres, new bowling alleys are built along deluxe lines, with air conditioning to brush the turbulence gap of summer idleness. Latest stunt is dishing out of cards to school children for one free bowling game during the afternoon and on Saturday evenings. Some alleys follow up by letting kids roll a globe for a nickel during the ball periods. Experience thus far has been that many of these juve boys dad and mom in the alleys at nights and on Sundays with the parents also taking to bowling.

In face of the steadily growing opposition from leagues, baseball and bowling, exhibitors are building more theatres, both downtown and in the suburbs. In the past year six new theatres have been opened. The old Grand is being replaced by a modern cinema in the same Vice street site. It will be ready within a month or so and operated again by RKO & Anscombe. Is he operated by the Libby, is being built on the old Sixth and Walnut site of the Times-Star by the Tilt estate, owners of the paper.

Something new in the way of a combined hit-builder for films is under way at present. It is a bi-film for boys and girls under 16 and is being conducted as 25 theatres on different nights. Poles are \$200 in cash, four tickets, 200 word posters and 500 other miscellaneous awards. Stunt is provided by the Times-Star on an all-participation basis.

Promer's Bingo Run

Philadelphia, May 14.

Bingo and bank nights making their last stand in this territory in (Continued on page 18)

Radio Source Better Than Film on Glossies of Newcomer Screen Players

All Have Boys?

Hollywood, May 14.

Seven newcomers named Syracuse have put in bids for the world premiere of Universal's 'The Boys From Syracuse' film from seven states, New York, Missouri, Indiana, Ohio, Kansas, Nebraska and Utah.

Original Syracuse was a big loss in limited Greece.

Final Press Agency To Aid Par on More Pub-Bally Campaigns

Following its publicity-exploitation contract to handle 'Dr. Cyclops,' recently released, a deal has been made by Paramount with Tom Fiala, Inc., to serve as an outside agency, supplementing Par's own forces in the merchandising and publicizing of additional films. Under the new arrangement Fiala will be in close direct to the handling of the larger pictures. No set number of films is understood to have been designated this being dependent apparently on the product.

Expected that Fiala will work on 'Down Went McGilly,' 'Way of All Flesh' and possibly 'Baffin' as starters. These are on the current (20-40) season, just coming up for release.

In making an official statement concerning retention of Fiala by Par to augment the company's own department, Bob Gilman said that 'in the production and distribution of approximately 30 pictures each year it is not always possible to give certain unusual pictures the extra publicity impetus which these individual pictures deserve. By assigning Fiala, Inc., to assist our own staff men in intensive drives on these occasional pictures we feel sure that we can add materially to the box-office results on these particular productions without disturbing the carefully-guarded machinery of our company organization in the handling of the bulk of our product.'

Details of the Fiala arrangement will be announced at the Par convention. Gilman also stated that the ad budget for '39-40' would be the largest in the company's history.

INVOLUNTARY BKPTCY. PETITION VS. MARTINA

Buffalo, May 14.

An involuntary petition in bankruptcy against Charles V. Martina, former operator of the Empire Theatre, was filed in Federal court here this week. The petitioning creditor is the Fawcett Construction Co., which charges that there is an unpaid balance of approximately \$1,000 on a \$12,000 contract with Martina for remodeling the Empire. The petition was filed, according to Fawcett, because Martina within the past few months disposed of assets by transferring his one-sixth interest in the Martina Circuit to relatives.

The Martina Circuit operates theatres in Akron, Mt. Morris, Middleport, Cuba, Phelps and Warsaw. He resides at Albion, N. Y.

'Clemmer W'k' Honors Dean of Seattle Mgrs.

Seattle, May 14.

Joe Mangery, West of the showman, who lives in this town, the big and stout is devoted to Jim Clemmer, fifth screen manager and dean of this town's showmen.

The work selected 42-49, nominated with his 22d year as show hit in Seattle. Plenty of respectability publicly by the newspaper boys and in the list of some business houses, it being arranged to put on the 'Clemmer Week.'

Publicity head for a major picture distributing company remarked last week that smalltown newspapers are more inclined to print photos of film stars received from a radio source than when they are sent in by the film producers themselves. It's a phenomenon, said the show man, that has puzzled him for some time.

He declared that simple logic would favor the picture element since the smalltown papers get revenue from local exhibitors, whereas radio is purely advertising contribution to them, but experience has shown that the chances of a new star getting the breaks from smalltown papers are best when the picture on back of the photo refers to the personality's trips with some radio program. One agency P.A. answered a query on the same subject by saying may be due to the circumstance that radio has done more cultivating of smalltown papers by the return route than have the film companies.

Sears Roebuck Trying Coupon Giveaways In 6 Philly Nabe Spots

Philadelphia, May 14.

Sears, Roebuck & Co., largest retailers in the United States, will launch a new advertising and promotion campaign next month by means of theatre-giveaways. The plan—marking the first time a firm of this size and reputation of Sears has taken to gimmicks—will take the form of 'merchandise certificates' to be given away free in theatres on the same basis as the present Gish book and silverware premiums.

The coupon-giveaway scheme will begin in six Philly indie on June 2. If it proves successful in month's trial, Sears will introduce it in cities all over the country. The coupons, in denominations of 1¢ to 5¢ will be redeemable in all Sears retail stores, or for payment on purchases made by mail via the Sears catalog. 'This is the way it will work: Exhibitors participating in the plan will purchase the coupons from Sears at face value. The company in return will pay for all advertising and promotion of the plan—buying space in newspapers, plugging it over the radio programs, its mail advertising etc. The cost of the coupons will depend on the strength of the film featured on the coupon days.'

E. J. Munn, Sears official in charge of the plan, said at least 20 other theatres had applied, but the initial test would be limited to only a half dozen houses.

A similar coupon plan has been tried here on a small scale by small neighborhood merchants with mixed success.

STICKUP ENCORE AT B'WAY CAPITOL, DET.

Detroit, May 14.

Twice within four days the Broadway Capitol in downtown Detroit, was robbed. Just before the two-act was closed Saturday (11) after part of the proceeds had been sent to the office a lone bandit took \$100 from Dorothy Rutledge, one of the cast.

A repeat performance came on Tuesday (17) when another bandit beat the first, getting \$175 from the other cast. Vera Pucetti, he dropping in earlier, at 6:30 p.m.

What's Cooking?

Calgary, Alberta, May 14.

Latest stunt at the Capitol theatre here is a cooking school. It runs 15 minutes at the afternoon show every Wednesday during the summer in conjunction with the regular show fare.

At the time of each lecture a basket of merchandise is given away.

EXHIBITORS HAVE THEIR WAY WHEN THEY PLAY "IF I HAD MY WAY"!

FINAL

IT'S A COUNTRY-WIDE SMASH FOR BING & GLORIA'S LATEST!



Bing CROSBY - GLORIA JEAN
If I Had My Way

with
Charles WINNINGER - **EL BRENDAL**
Allan Jessup - Claire Dodd - Hans Bryant
and
Eddie Leonard - Tricia Frigman - Grace LaBue
Julian Eltinge - Blanche Ring

Produced and Directed by **DAVID BUTLER**
Story by David Butler, William Conselman and James V. Kern
Screenplay by **WILLIAM CONSELMAN** and **JAMES V. KERN**

★★★★
SPECIAL

PROVIDENCE:—Registers best Crosby business in years at the Albee!

SPRINGFIELD:—50% better than last Crosby at the Romy!

TOLEDO:—Doubles last Crosby hit at the Rivoli!

YOUNGSTOWN:—Beats every Universal picture here to date!

HARTFORD:—Equals Durbin! Beats last Crosby picture!

DES MOINES:—Day and date hit at both Des Moines and Roosevelt!

AKRON:—Socks at Colonial!

JOHNSTOWN:—Cambria flooded with Swing and Bing fans!

**SEE SHOWDOM'S
MOST
FAMOUS
NAMES!**

HEAR
EDDIE LEONARD
Sing "Ida"

HEAR
BLANCHE RING
Sing "Binge On
My Fingers"!



**A NEW UNIVERSAL
PICTURE**

United Front by Exhibs, Distribs Held Solution to Survival of Aussie Filmdom

Sydney, April 24. Film leaders here have declared that exhibitors and distributors must unite if the industry is to survive in Australia. Leaders point out that because of the war political interference is set to deal a k.o. blow to the film biz. Firstly with a coin freeze, estimated to extend to 30%, and secondly with possibility of a production restriction, which, if coming into play, would positively force many theatres to close within a few weeks.

Film Council of Australia, headed by Charles Munro, of the Hyatt chain; Ben Bolder, Bolder-Dann, and Dan Carroll, Carroll-Munro, is still endeavoring to work with U. S. distribs in presenting a united front to the government covering the acute situation presently prevailing. Recently, the F. C. offered to work with the U. S. distribs on presentation of coin to government in connection with case of proposed coin freeze and the restriction problem. The Motion Picture Distribute Assn., however, informed F. C. that it would prefer to present own case to the government on coin position, indicating that exhib cooperation was not desired.

Tough Proposition

Leaders, watching the various political plays in respect to the coin bill, see that the distribs are up against a tough proposition in attempting to back the government on a coin freeze, and that elimination of just business with exhibs, eliminating in a joining of forces, would be the only sane way to overcome the difficulties now facing both sides on political moves.

Sam Bolder, acting as contact officer between exhibs and government officials, has been a big factor in trying to prevent U. S. product restrictions, which has for its purpose conservation of the dollar exchange. Bolder has been in constant battles with Sir Ernest Plunk, economic adviser to the government, and it's now believed that the government will not presently impose an import cut.

Naturally, with the imposition of a heavy coin freeze on distribs, local exhibs are a substantial of product by Hollywood to offset losses on minor pin, meaning that while distribs would take the knock on the coin angle, exhibs, in turn, would be hard put to secure enough product to keep their theatres open.

M's France Starts

Official confirmation that Australia was starting to freeze 30% of U. S. distributors' net profit obtained in that country was received in New York this week.

No plan for freezing U. S. revenue secured from distributing pictures in Canada has been approved by the latter, according to latest word at Hollywood. Suggested coin freeze in Canada might follow the 30% plan of Great Britain.

Show Biz Socked Hard By Aussie Coal Strike; 100,000 Jobs Affected

Canberra, April 24. Commonwealth-wide coal strike is smothering show biz. Exhibs particularly are hard put to keep theatres open, finding boxoffice cooling as the public restricts its entertainment.

Over 100,000 jobs are affected.

Cabled reports from Australia indicate a partial settlement of the coal strike, but there are still a few points causing much wrangling.

Ray Johnston Huddles Gall of London Pathe

W. Ray Johnston, Managing Director, returned east Saturday (14) for huddles with William Gall, general manager of Pathe, Ltd., London, who dashed on this side about a week ago.

In addition to discussing the foreign situation generally, Johnston and Gall are expected to thoroughly consider the problems attributable to be faced in connection with 1940-41 product in English possessions. Pathe, Ltd., under a long-term deal negotiated last year, handles the distribution of all films produced in Britain.

ANTI'S' COMEDY TREND

Morale Uplift Method Favored With Lighter Touch

Sydney, April 24. Film localities trend in Australia appears to be toward light comedy and musicals, which is consistent with the morale uplift going on elsewhere in the kingdom.

Before the war, musicals were practically taboo, with action films the rage.

23 U. S. FILMS UNDER BRITISH COIN QUOTA

Seven major companies that will be most affected by the monetary quota provisions okayed by Great Britain will have had to produce 23 quota features in England from April 1 last to March 31, 1941. This contrasts with some 34 quota features that were required under the former method.

Actual compilation for the seven majors (Universal is the lone exception among the majors, it fills its requirements via the British corporation representing it in England) has been set, via the Hays office, based on the number of pictures sent to Great Britain for distribution this year.

Under the monetary stipulations the following will be produced: Metro, 4; Paramount, 2; Warner Bros., 4; RKO, 3; 20th-Fox, 4; Columbia, 3; and United Artists, 3.

Majors are satisfied that the monetary arrangement, running concurrently with the remainder of the old requirements, will solve difficulties confronting them in England under wartime conditions. Communication on only a few features, foreign department officials say, will not down risks in production caused by delays necessitated this time particularly by war emergencies.

Nazi Invasion Balks New Pix in Holland, Belgium

Nazi invasion of Belgium and Holland has balked all American picture openings in those countries' key cities. Recent cables from Amsterdam informed RKO that "The Lionel Lincoln in London" was being opened there shortly with the cooperation of the government, which ruled the picture a cultural film, with this extending even to a reduction in the federal boxoffice tax so that the picture would be shown 30%.

Pictures had been set to open in Brussels May 24 at the Beaux Arts theatre but the warlike disturbance will halt this. A preview show had been arranged for King Leopold.

Reg Denham, English Dramatist, May Go Pix

Reginald Denham, co-author of "Ladies in Retirement," at the Miller, and "Sagebrush" at the Playhouse, N.Y., is making a Hollywood writing offer. However, a hitch is that he wants to include a directing assignment in the contract. Probably nothing will be decided until he goes to the Coast in the next few or six weeks for a wife-and-bus-tour.

Denham, having the London and Broadway production of "Ladies in Retirement," Denham has directed a number of pictures in England, the last being "Blood Feud," a George Seaton production with Lilli Palmer and Clifford Mollison, for RKO release. It was completed last fall just after the war broke out.

Aspirin-director is working on a play with a New York backing, and will write it independently of Edward Perry, his collaborator on "Ladies in Retirement." If he completes it in time he may produce it in New York on his own, having already lined up financing. If his own play isn't ready by then he hopes to produce a play by some other author or do an outside staging job for another manager.

LAG IN U.S. DELIVERIES SNAGS AUSSIE EXHIBS

Sydney, April 24. Any exhibs are becoming worried over slow-down in delivery of product from Hollywood. Current situation, exhibs say, is similar to the dead spot that happened during the first two weeks of the war. In some cases, and in order to maintain screen dates, product has had to be rushed from ships and through the customs as quickly as possible, especially in the city spots, as air vessels became almost empty.

Fault appears to lie with the Hollywood production units, which still run regular schedules from the Pacific coast to this center, but supplies coming forward are not as consistent as formerly. Exhibs declare that unless a production schedule comes into play in the very near future, then trouble looms ahead for exhibs operating in the top city spots.

It has been suggested by some exhibs that the Hollywood producers are deliberately slowing down on shipments to Australia in order to secure a waiver of the 35% right of rejection on U. S. fare now in operation and, too, in respect to the heavy coin freeze looming by the Federal government to conserve dollar exchange. MPPA definitely nips any such suggestion, indicating that the Hollywood producers are doing their utmost on product continuance in respect to this territory.

Geo. Black's Need for Air Names, Due to Foreigner Void, Leads to BBC Truce

London, May 1. It took a war to make peace between George Black and the British Broadcasting Corp.

Black has always been opposed to any of his talent going on the air, with his contracts specifically stating "no broadcast," and many an artist who broke this law was given the go-by. Due to shortage of foreigners, especially Americans, Black has had to resort to radio names who he did not continue occasional editing, contrast of his conflict with Black. Black in Black has had to extend the above banish back to radio names and the BBC.

New such names as Flanagan and Allen, Vic Oliver, Bette Davis and Ben Lyon, Max Miller, Pat Kirkwood, Clifford and Marion, George Formby, Arthur Askey, Jack Warner and Blanche Baxendale, all under contract to Black, and even such hands as Henry Hall's are being aired regularly. Even "Garrison Theatre," the Jack Hyman show, which comes to the Palladium for a run, opening May 14, will be broadcast each week from the theatre, with guest artists injected every week to vary the program.

This sudden truce between the BBC and Black is already causing heartache among some performers. These are wondering who is going to pay them for the broadcasts, so ordinarily they would be receiving a fee.

NAZIS CUFFED BY PFRU ON CENSORING OF FILMS

Link, Peru, Mar 14. German intervention in picture censoring has received an indirect setback from the arrest of Peru, which has approved a communication calling for instant cessation of all diplomatic intervention in decisions of the film censorship board.

Referee followed a debate which criticized the German diplomatic activity in this country. One movie film shown from "A Hero of the Marine," French picture, which was being exhibited to all the Peruvian Red Cross. Cause of the wrangling was the intervention of the German minister. "Confessions of a Nazi Spy," "Lone Star Wings," "An Quiet on the Western Front" and "The Road Back" were other films detained at the censorship board through Nazi spokesmen. Despite the fact that these exhibitions would be done in an "unofficial" manner, according to Suzanne Polak, Red Cross.

All Boys Manchester Theatre

London, May 1. The Prince's Theatre, Manchester, has been purchased by Associated British as a cinema. Over \$1,000,000 is to be invested by AB.

See Spanish-Language Pix as Solution To the Foreign Product Slack in U.S.

I PROMISE TO BEHAVE

Geo's Little Paddock When Theatre Soft-Pedals Pathetic Gags

Mexico City, May 14. Theatre Lines here, historic revue house, was closed for four days by the municipal government as chastisement for near audience riots over political gags of actors that became more and more frequent.

Shuttering was lifted when the management promised to soft-pedal politics.

LATEST HITLER MOVES SOCK LONDON B.O.

London, May 14. London show biz, which had been experiencing an approach to normalcy during the past few months, suffered again during the past week with the latest war developments. Among the hardest to be hit is legit, with four revues and two plays having postponed closing dates.

Coming on the heels of this most recent Nazi surge is unfortunate for four new shows including George Bernard Shaw's "Milk and Honey," which last summer had a tryout at the Lyric Theatre. Reception at the press to the comedy dealing with Charles II was approximately the same as accorded it last summer. It's a plotless piece, being warmly greeted at its opening Thursday (8) at the New Theatre for its clever dialog.

At the Garrick, a twice-nightly revival, "By Your Leave," a spy play about the last war, showed itself to be as timely as its original presentation. Opening night (10) audience gave it a rousing response. Jack Hyman's radio revue, "Garrison Theatre," though sparsely talented, looked like a money winner in its debut at the Palladium last night (Monday). The show's radio rep should serve it for a while.

Another risk is the twice-nightly presentation of "Present Arms," with cast mainly recruited from ex-military, at the Prince of Wales, in selling of pup prices.

Michael Powell's Pic Production in Canada

Regina, Sask., May 14.

Biggest and most ambitious motion picture to be produced this year will be filmed in Canada this summer, according to Michael Powell, London producer, director and author, now touring Canada. Powell will produce "The Edge of the World."

Powell, Frobenius and other members of the advance guard, including Roland Gillet, assistant producer, Alfred Stephenson, film editor, and William Paton, personal assistant to Powell, conferred with government officials in Ottawa recently and visited Winnipeg, Edmonton, Calgary, Vancouver and Victoria.

Mex Law Protects Native Performers

Mexico City, May 14.

Protection of Mexican theatrical performers against increasing imports of talent has been provided by a new law.

Edict demands that for every foreign actor employed one native entertainer must be used.

Schoham for Gould

David Gould, Metro's manager in Puerto Rico, has resigned, effective immediately.

G. B. Schoham, formerly managing director in Finland, has been named in his place.

Distribution of Spanish-language features in U. S. seems as a possible solution of foreign product shortage, according to Irving Shapira, of World Pictures, one of the few American companies to distribute French-made films extensively in the U. S.

To test the strength of Latin American productions, Shapira already has contracted for the prize-winning Mexican-made picture, "Wings of Mayana." He will superintend English titles.

World and other independent distributors of foreign-made films experimented with Swedish and Norwegian product some months ago, but without marked success. Now, the Scandinavian production is at a standard because of the Nazi invasion, with even Swedish films encountering tough obstacles in getting to the U. S. market.

Increased production in several South American countries likely will be helped by widespread indie distribution in the U. S. The indie believe this factor would encourage Latin American producers to intensify their production quality if certain of additional revenue in America. Fact that many Americans will support the South American nations and other Spanish-speaking countries in their transition liberates in place of France and England also is counted on to heighten interest in Spanish pictures.

Opening of big-scale hostilities in Europe last week doubtlessly will further cripple the minor attempts being made now at production in France and England. There has been a dearth of strong French and British films for several months now. An influx of how few beautiful pictures are coming in from Europe is revealed by the number of American films, even third-run, presently being booked in arty and foreign-language circuits of N. Y. Previously they held strictly to foreign fare.

Under the protest that youth goes to bed during a war due to difficulty of keeping it under proper cover, the Overt, Paris morning sheet, is leading a movement to close cinemas, theatres and dancehalls to boys and girls between 12 and 20 years of age.

Moral Safeguard Behind Movement to Limit Paris Youngsters' Amusements

The paper jumps houses of its time and cinema together, writing: "Frequentation of the brothel and the cinema, increased unemployment, long idling on the street—in other words, lack of work and uncontrolled liberty—has often had much to do with the wrong path and transformed them only too quickly into street bums."

The sheet proposes prohibition of entry to all amusements for persons under 16 years of age; to prohibit public houses from receiving anyone under 20, and a similar, but less strict, law for the duration of war for cinemas, theatres and dancehalls.

GROUP FORMS BANK TO PRODUCE MEX FILMS

Mexico City, May 14.

There is a new position to help the producing end of the domestic job, but it is not the picture for the financially harassed federal government to materialize its promise to fund a bank for the industry. So they are going ahead with plans to establish a private bank here for that purpose. It's expected to open in July.

Moving spirits in this proposition are Int. Alberto J. Pani, former Minister of Finance and the country's No. 1 capitalist, who has had some past experience; Luis Laguardia, banker, and Jesus Gressan, producer and distributor.

Schless' H.O. Huddle

Robert Schless, Warner's managing director in Europe, is due in New York May 27 for his annual inspection huddle.

He left Paris Friday (13) and will leave Geneva May 18 following a brief week in Rome.



★ Merchants—big and little — take every opportunity to tie up their business with motion pictures and stars. They like the flash... the glamour... the publicity and human interest of pictures and personalities because they sell merchandise.

★ You've got a big advantage over every merchant in town. You've got what it takes to begin with. Pictures... stars... personalities. They're your stock in trade.

Use them. Profit on their glamour... publicity... personalities. Make stills... posters... other accessories part of every selling campaign.

★ Hitch your wagon to the stars... your stars, through **TRAILERS... LOBBY DISPLAYS... ACCESSORIES**... that flame with life... color and seat-selling catch-lines about these very stars. That's what makes them the Best Ticket Sellers in the Business

NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, INC.

PARAMOUNT'S
**"ROAD
TO
SINGAPORE"**

PARAMOUNT'S
**"BUCK BENNY
RIDES
AGAIN"**

THAT OLD BOX OFFICE FENCE!
AND THE BOYS THINK THE BROOKLYNS ARE HOT!

PARAMOUNT'S
TYPHOON

IN TECHNICOLOR

DOROTHY LAMOUR
ROBERT PRESTON
LYNNE OVERMAN

J. Carroll Naish

Produced by LOUIS B. MAYER, RKO, Inc.

Directed by ROBERT ROY POOL, RKO, Inc.

"Road to Singapore" a smash hit!

"Buck Benny Rides Again" a smash hit!

And here's Paramount batting out another box office home run . . . that Technicolor triumph, that terrific typhoon of dynamite action and tropic romance with the greatest love team ever to find their heart's desire beneath those torrid South Sea skies!



Allied Blasts Juke-Box Pix Ideas; Sees All Sorts of Taxes Inevitable

Washington, May 14.

If Jimmie Roosevelt and Mills Novelly Co.—or anyone else—put into operation the idea of nickel-in-the-slot film entertainment, all sorts of taxes should be imposed on the enterprise. That's the way Allied States Association, the most vocal independent-exhibitor organization, views the entry of enterprise into the amusement business.

Resolution passed by the Allied districts Saturday (11) held that "all license, license fees, taxes and other public places" which would be levied on the enterprise, in addition to the taxes, license fees, regulations and taxes, Federal state and municipal, to which motion picture theatres are subjected, "shall be levied on the enterprise in the same manner as levied on the theatre."

The Allied districts—mostly composed of theatres—have been holding up the nickel-in-the-slot bill—backed with undisputed apprehension in the Roosevelt idea. Even though the push-pull proprietors show only starts, the indie high command viewed ultimate ruin of their business, with the patrons who can spend only 15 cents or a quarter going to places where they can get a glass of beer and a brief respite for the same money.

Aside from proving the favorable testimony of witnesses before the House Interstate Commerce Committee on the Neely bill, the strategy of Allied devoted the bulk of their time to making logic for discussion at the Chicago convention. Chief item on this part of the agenda was "economic conditions," with the districts deciding to take, rather than study "all available data" about the status of the industry in view of the European boom. Will overseas market restricted, the indie fear the distributors will jack up prices and try harder to profit, besides rumpaging the initial investment, on home sales in the domestic market.

Higher rentals were seen inevitable by the indie operators. And the only way to counter, they feel is to have "sufficient data" about the relative importance of domestic and foreign business.

Numerous details relating to the June 15-21 assembly were discussed during the board session.

Detroit's Frowns

Detroit, May 14.

Coin-in-the-slot pits in the Detroit area are going to fall under the same censorship which recently ruled out "Strange Cargo" and "Twin Love Path." It is the police who are going to pass on the worth of the new amusement advertising.

A ruling laid down here says that Police Sergeant Charles W. Snyder will have to pass on all the nickel-in-the-slot films.

"All films must be reviewed by the local police censor," the ruling read. "Since the pictures are being shown for public exhibition, they are very definitely subject to censorship." The plans for police inspection are being worked out by the distributors.

Phonovision Delay

Bids for an initial delivery of nickel-in-the-slot film machines are being talked with several manufacturers of juke-boxes by Sam Fox, part-owner and production head of Phonovision Corp., who arrived in New York from the Coast last week to set up an organization for spotting the machines throughout the country.

Sax and Frank Orsatti, Coast agent, his partner in the company, are also demonstrating a million variations of the device to advertising execs. They plan to make commercial films for the machines and lease them for exhibition of the pictures for advertising purposes, in addition to the nickel variety for top-ups, stations and other public places. Sax was formerly head of WB shorts in Brooklyn.

Phonovision differs from the projector that Mills Novelly is putting out with Jimmie Roosevelt's film. Latter throws the picture on a screen or wall, while Phonovision uses an upright television set, the entire gadget being self-contained. Model for advertisers is merely a refinement of the automatic 16 mm. projection widely used for this pur-

PASSAIC'S NEW 2,500 SEATER DUE ON OCT. 1

New 2,500-seat theatre in Passaic, N. J., is being constructed by Abraham Finkelstein, on Central avenue, for opening Oct. 1.

Greenwich Village area (N.Y.) is getting a new cinema this fall, called the Art, 36 East Eighth street; 800 seats, opening scheduled for Sept. 1.

Brooklyn's New Theatre

Brooklyn theatre on Seventh avenue and 51st street, N. Y., has been taken over for operation by the Brooklyn circuit.

Crest, Bronx, sold by Condit to Howard Herz of the Heart Theatre Corp., transfer in ownership being made May 8.

Another New One in Texas

Meredon, Texas, May 14. G. L. Wood, manager of the State here, announced that Texas Consolidated will build a new house in the near future. The purchase of the old Manhattan Cafe building was authorized by Karl Horkstorf, president of Texas Consolidated.

Brooklyn Addition

Millington, O., May 14. Ground has been broken here for a new 100-seater for Mr. and Mrs. Roy L. Russell, who have been operating the Opera House here since 1928. The Russell is expected to be ready for opening Aug. 1.

Mr. and Mrs. Russell will retain their Opera House and plan to offer both there after the completion of the new cinema.

Detroit's Nickel-In

Detroit, May 14.

Detroit has more than a good claim to being the Motor City. It practices what it advertises. On the strength of the support given the Drive-In theatre on the town's East Side, a new auto theatre has been put up on the West Side.

The latter will accommodate 500 cars on its 11 semi-circular ramps and boasts of the world's largest screen, a 30-by-48 foot spread. Individual speakers are spaced all through the grounds because of the noisy year ago over the loudness of the single-speaker by the Earl Side residents who said the outdoor theatre drowned out family conversation.

But two sounders aren't enough to satisfy this automotive city. Midwest Drive-In Theatre, Inc., which operates both here, is launching a third for the southwest section.

WB Pokes Exhilaration 'Heaven' in 2 Parts

Adding extra scenes and stretching "All This and Heaven, Too" out to 2,000 feet, Warner Bros. is piling exhibitors with a view to rounding them up whether they want the picture in two parts or as a single feature. Early returns would indicate that exhibitors prefer the film in one piece regardless of a running time that would be over two and a half hours.

Ed Kuperstahl, of the Motion Picture Theatre Owners of America, and the Independent Theatre Owners of Southern California have advised Warner they do not want two releases out of the Battle Devil-Charles Boyer picture.

WB has been discussing round-robin of the film in New York and elsewhere but no decision has yet been reached on that score. Meanwhile, the Music Hall had opened negotiations to get "Heaven, Too" as a N. Y. first-run. These negotiations are still on pending further developments.

The general release date set for the film, which is also subject to change, stands presently as June 28.

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Arnold

(Continued from page 1.)

held, in charge of the anti-trust division, and Paul D. Williams, who is chief of the prosecuting staff.

On the other hand, the tentative program of the defense which has been sketched out in conference with Joseph M. Penikese, chief attorney for Warner Bros., John M. P. Thatcher, leader of the Paramount forces, and John W. Davis, who has been retained by Loew's Inc. Of these, former Judge Thatcher is expected to make the largest and most comprehensive presentation.

It is anticipated that the trial before Judge Guillard will continue through June and July, with probable adjournment during August and September, and resumption in October.

Industry Contentious

Collapsing of the efforts of the Department of Commerce intermediaries to bring about a basis for a common device between the film companies and the anti-trust prosecutors has dampened enthusiasm of industry executives that the trial could be overruled and some compromise established which would be satisfactory to the Government.

Industry executives do not bestir to express their disappointment at the apparent unwillingness of Thurman Arnold to meet their overtures half way. Twice, according to a prominent company official, the anti-trust chief prosecutor has turned down what was described as earnest attempts for compromise. He first refused to consider, as Government spokesmen, the trade practice code which was developed by William F. Rodgers and other company distribution chiefs, and more recently he expressed dissatisfaction with the U. S. Commerce Department's proposals.

Although still of a mind, they say, to negotiate a common device, film executives declare they have exhausted, short of complete capitulation, all avenues of approach.

Overtures were made during the past week by a representative of important film interests not directly involved in the litigation to seek a solution to the industry's internal differences and Government will. In a discussion with a leading company official the leader of the movement was discouraged from proceeding as a volunteer mediator. He was given to understand that the companies could not be brought together again in a last hope of amicable settlement.

Nick Schenck May Step In

Despite the message, a move will be started this week to enlist the very considerable influence of Nicholas M. Schenck, president of Loew's, Inc., in a last stand effort to conciliate. Schenck returns today (Wed.) from an extended stay in Florida, where he has been kept in intimate touch with the situation. He was one of the most cooperative executives in developing the proposals which were drafted in final form by the Department of Commerce. No one at the Loew offices would indicate whether Schenck would make further efforts in the direction of a common device.

There is a surprising lack of interest in New York home office circles as to the outcome of the hearings, now being held in Washington, on the Neely anti-blacklisting and blacklisting bill. The reason given is that the anti-trust complaint embraces the issues of blacklisting and blind selling and if the Government suit is going to trial the first answer to the legal issues involved will be given by the courts, regardless of the outcome of the Neely bill before Congress.

On the other hand, if the unbroken Jay Byrnes, and through some intervention and mediation the anti-trust suit is settled by agreement, any such agreement will make provisions following blind selling, as currently practiced. The Commerce Department proposal covered the point by providing for trade exhibitions of completed film prior to any licensing for commercial showings.

Theatre diversions, or the severance of ownership and operation of theatres by producers and distributors, is the principal stumbling block in all negotiations for a common device. There is no unanimity among the film companies on any formula for diversification.

LeVayre-WS Battle

Suit of William LeVayre against Warner Bros. for \$25,000, claiming over-payment for two stories allegedly written at the film com-

pany's request, was settled just as the trial was due to begin Wednesday (13) in N. Y. supreme court.

LeVayre claimed to have been hired to write stories for Warner Bros. and Barbara Stanwyck in 1933. He claims he wrote "Believe Me" and "Faint Woman."

Neely

(Continued from page 1.)

petition, requested a copy which he read during the session. Possibility that the House hearings might conclude because of the Justice Department's pending action was discussed, after Walworth inquired Mrs. Bennerman on several errors in her testimony.

Complaints that local community spirit would not work out in large metropolitan areas were voiced by Representative Martin J. Kennedy, New York Democrat. The Manhattanite asked Mrs. Bennerman "what will you apply" when a great diversity of tastes is represented in the big cities.

"Has your association ever tried to find a community spirit in N. Y. City?" Kennedy asked, referring to differences existing between Park Avenue, Madison Avenue, the lower East Side and the Bronx.

The Neely bill contains no threat of censorship, the committee was told by Henry E. Atkinson, Bureau lawyer who was a member of the committee which drafted the legislation.

"If a censorship movement should ever sweep this country—which is unlikely—it would be no substitute for this bill," Atkinson stated.

Atkinson's May Day

Atkinson spoke shortly of the Neely organization and stated that if the Legion of Decency boycott is ever relaxed it will lead to production of undesirable pictures and a new series of motion pictures "branding" leveling film stars. He stressed the sponsors' proposal in the Neely bill, insisting that pictures can be easily described before their production and assuring the committee that independent exhibitors will choose films from the sponsors with regard to the wishes of the community organizations.

Neither Atkinson nor Mrs. Bennerman could answer specific questions put by members of the committee anxious to know about proposed distribution methods. Unable to get facts and figures requested, the Congressmen resorted to the old legislative pastime of embarrassing the witnesses as deeply as possible.

A letter stating that the California State Congress of Parents and Teachers had gone on record against the Neely bill was read into the record by Congressman Hinshaw. All other State Congresses have endorsed the measure, Mrs. Bennerman retorted.

First day of the hearings left the bill's proponents with a definite disadvantage. While the committee did not crack down too hard, the general atmosphere was hostile and members took pleasure in riddling the witnesses. Those used by law makers—almost all of whom were present and asked questions—indicated that they were not looking forward to furnishing testimony from before representing the uplift societies.

Constant Backing

Constant backing and persistent questions about practical methods of enforcement upset Atkinson at the second session, with more than half dozen lawmakers reflecting disapproval of the legislation. Chief inquiries were about potential multiplicity of suits and methods of enforcement.

Admission that reform groups expect producers would permit almost unlimited cancellations by exhibitors contracting product did not reduce to spiritless came from the Bishop attorney. High cost and effort involved in compelling payment and fighting out issue of whether contract terms were broken will limit amount of litigation, he declared. Vagueness and indefinite knowledge was hit by numerous cross-examinations, with Congressmen Patrick of Alabama, McGowan of Pennsylvania, Blumh of California, Smith of Texas, Pearson of Tennessee, and Walworth of N. Y., repeatedly declaring definitions are uncertain and courts would be swamped with suits between distributors and exhibitors. Economic effort on the public and producers was challenged by several members, with Atkinson insisting measure will reduce cost and remedy unfair situation where public has to "underwrite" the mistakes of judgment and inferior product under present system.

With stiffer competition for screen space's request, was settled just as the trial was due to begin Wednesday (13) in N. Y. supreme court.

Almost 50 Det. Houses Cash In On 4-Pix Gag

Detroit, May 14.

Spurred by the all-night theatres where suddenly crowds poured in on velvet-over nights to get the advantage of four features, close to 50 Detroit houses now are cashing in on the pie hatched business. A survey here shows that three nights a week the 50 Detroit theatres are offering midnight shows where the theatre fan can see four pictures—the two going and the two coming.

Most of the houses are spotted along the all-night streets, like Woodward and Michigan Avenues, with more than a dozen scattered in the Negro districts.

U. S. ADDS JAS. HAYES AS TROUBLE-SHOOTER

Washington, May 14.

Trust-busting staff for the Justice Department's big push against the film industry has been bolstered by addition of a trouble-shooter who played a leading part in bringing about indictment of dozens of union figures and contractors in Southern California recently. With Paul Williams of the anti-trust division heading the force, Assistant Attorney General Thurman Arnold has designated James Hayes, special assistant to Attorney General Jackson, to one of the trial group. Hayes, formerly was assistant U. S. district attorney for Southern New York, and has an impressive record of court victories.

Appointment is deemed further proof of Arnold's determination to press the case and additional indication there is no chance of a common device, at least until the government's side has been pronounced. The department still has on the payroll an special assistant for the New York suit versus the majors William F. Farnsworth, former deputy administrator of the NMA motion picture code. He will assist at the trial.

Nazis as U. S. Equipment Rival in Latin America

Fuel that several large shipments evaded the Allied blockade in the early weeks of the war currently enables the German theatre equipment manufacturers still to compete with American firms in Latin American nations, according to E. S. Greig, general foreign manager of Electric Research Products, Inc. Greig returned recently from a three-month inspection tour of Central and South American countries. Despite this, he was convinced that current requirements in those nations will use up present Nazi stocks shortly.

Most Latin American countries are playing a wild theatre building boom, Greig claimed. New theatres with seating capacity of 1,000 are going up in several countries.

time, studios will reduce waste and everybody will benefit, he insisted. Fairness of provision making carriers liable for transporting films that violate contracts and do not conform with agreements was questioned by Hinshaw. California insisted to know how railroads and express companies know details of all agreements between parties. Atkinson confirmed carriers probably could not be provided unless they previously were notified that pictures varied from outline. Numerous questions about provision against unreasonable price differentials had Atkinson flustered.

Unless Neely legislation is enacted, only solution to problem of getting better pictures is nation-wide boycotts, Atkinson argued. Public should not be regressed by Hinshaw, he remarked, and patrons should tell exhibitors certain films can't be shown and that "the level best" is out from the headline for that and other films if theatre owners disregard wishes of community.

Church Support

Minneapolis, May 14.

The Minneapolis Evangelical conference, a large Lutheran church group, has gone on record in favor of the Neely anti-blacklisting bill. Representatives in Congress from Minnesota will be asked to support the measure.

JOIN IN THE MAYPOLE DANCE!



THINK THIS OVER!

There is only ONE company that can give you this MONTH OF STARS! They all appear in May releases from M-G-M!

VIVIEN LEIGH
ROBERT TAYLOR
'WATERLOO BRIDGE'

SPENCER TRACY
'EDISON, THE MAN'

WALLACE BEERY
'20 MULE TEAM'

JOAN CRAWFORD
FREDRIC MARCH
'SUSAN AND GOD'

—and they're all GREAT!

Organize All Pic Flacks

(Continued from page 1)

American Newspaper Guild, as well as the Theatrical Managers, Agents and Transfers Union. There also has been some talk that the SPG would seek a charter from a national labor organization, with the American Federation of Labor said to be favored.

While official negotiations between the producers and the Screen Writers Guild are not scheduled to officially get under way until this week, company representatives have already indicated they will refuse requests of EWG for a one-year agreement, abolition of all flat deals under \$1,000, and limitation of optional periods, with salary required when option was to be lifted. The EWG had been asked to submit its demands to company attorneys for study, but the attorneys stated they preferred to present them personally or any clearly questions could be clarified before the attorneys started to analyze the demands.

Minimum Wage \$14

While the proposed minimum wage to be demanded by the writers is being kept secret, it is understood that tentative figure calls for \$120 per week for any writer regardless of experience. SPG demands, in addition to membership of material writers during layoff periods, that Guild be exclusive bargaining agent for all screen writer employees while 100% Guild shop is also demanded. Terms of basic agreement would be for one year.

There shall be only one layoff period out to exceed six weeks in each 52-week period of option contract. Layoff shall be preceded by 14 days' notice in writing.

Writer's no work-to-work contract shall be entitled to week's notice of termination of employment; and writer employed by a producer for 12 consecutive weeks is entitled to two weeks' notice. Variations with pay one week after 28 consecutive weeks of employment. Writers' payments to, from and on location to be paid by the producer.

The EWG also is insisting on the right to handle any disputes which may arise over assignment of screenplay credits.

The preliminary negotiations for the producers will be handled by a battery of company attorneys headed by H. B. Silverberg as chairman. Other members are Alfred Wright, George Cohen and Homer Mitchell. The EWG negotiating committee is composed of Gray Sheridan Gilroy, Charles Brackett, Sidney Buchman, Dore Schary, Boris Ingster, Mary McCall, Jr., and attorney Leonard S. Jacobitz. It is believed apparent that an agreement is possible, several producers will be added to the committee, of attorneys.

Ready New Extras Demands

The Screen Actors Guild is readying new demands for extras, but will defer submitting them to producers until after the Producers-SAG Standing Committee completes its economic survey of the extra situation. The survey will be finished June 1, but it probably will require 10 days to two weeks for the Standing Committee to reduce its findings to writing. The actors are certain to ask for higher wages and reclassification of extras.

In the meantime the SAG announced it had turned thumbs down on a request from studios to lift the 300-mile Guild zone. Studios' business men claimed they were losing business because the picture companies had abandoned the zone at a location spot and were going outside the zone to escape paying Guild rates.

Howard E. Phillips, new general manager of Central Casting Corp., is preparing to start hours for extras in call in his job. After interviewing hundreds of atmosphere players, Phillips said their principal complaint was that they had to remain at their telephones from 5 a.m. until 9 p.m. unless they landed a job sooner. Tentative plans call for limiting hours to a period in the morning and a second period in the afternoon.

A ban has been placed on extras identified as having been convicted with gone squads in the extra ranks. Action was taken following a conference between Phillips and Deputy Sheriff and Thomas of the sheriff's major crime detail. The names of several questionable characters have been removed from Central records.

Carl Head has been elected a member of the negotiating committee for Moving Picture Painters Local 644. He recently presided over the

signed. Other members of committee are Herbert Farrell, business representative, and Gene Fink, secretary.

The Society of Motion Picture Film Editors has presented a new set of demands to the major companies. First editors are asking for a six-day week, with a reduction in hours from 34 to 48. Assistant editors want a guaranteed salary of \$121 per week for 48 hours. Society wants a mandatory agreement that an assistant editor must be used on each feature production. Group also is asking a new classification of assistant editor at a minimum wage of \$120 weekly, reclassification of the division of reworking editors which carries a minimum wage of \$71 per week. They claim classification is being abused in a majority of the studios.

Early Labor Meet Asked

The American Federation of Labor Studio Conference has requested producers to resume negotiations. Letter asking for an early meeting was mailed to Y. Frank Freeman, president of the Producers Association, by J. W. Russell, vice-chairman of the Council and secretary-treasurer of the Central Labor Council. Russell is directing the committee in absence of Willie Bluff, conference chairman, who is serving a six-month jail sentence in Chicago on a pending conviction. Freeman said an early meeting would be arranged this week.

Kenneth Thomson, executive secretary of Screen Actors Guild, returned to his desk yesterday after spending several days in San Francisco.

attending the Union Label Exposition.

Superior Judge Sumner Wilson has quashed services on Frank Sticking in suit brought against executives of the International Alliance of Theatrical Stage Employees by George "Curly" Davis and other members suspended because of their activities in connection with the United Studio Technicians Guild. Action was taken after attorneys for IATSE agreed to accept services on all IA officers in this jurisdiction, with stipulation that they would be liable for all acts of Sticking while he was serving here as an international representative for the IA. Davis and other complainants are each seeking \$10,000 damages against proxy George E. Brown and other officers of the IATSE, as well as an accounting of the funds of Studio Technicians Local 57. Davis said a supplementary complaint will be filed at once.

COHAN, N. Y., LESSEE WINS OVER LANDLORD

Empire Amusement Corp., former operators of the George M. Cohan Theatre, N. Y., was granted summary judgment yesterday (Tues.) in N. Y. supreme court by Justice Philip McCook against the Garfield Realty Corp., from whom the plaintiff rented the theatre. Replevin had been filed for \$20,173, and Edwin Kahl was appointed referee to determine actual damages.

Replevin was filed for five years in 1936 at \$10,000 yearly. It claimed \$24,323 was spent to improve the theatre, when Garfield, the landlord, defaulted on a judgment and the plaintiff was ejected in 1938.

Wobber Urges Ballyhoo

(Continued from page 1)

ally more strongly coupled pictures, works better.

Exploitation of double features is the subsequent house in virtually an impossibility, where all exploitative angles have generally been worked out by the prior house. Only if occasional pictures, which are still somewhat unexploited, reach the subsequent house can those houses afford to expand any money or real time in selling the product. Otherwise, the lower theatres must simply run the pictures as is with a simple announcement. And certainly the upper houses are running these pictures as long as possible, and could not extend them run beyond present schedules of two, three and occasionally four days.

Dave Wallerstein, Baltimore & Katz district manager of suburban and Indiana suburban houses: "Houses are now committed up to the hilt on pictures and cannot possibly play more pictures than are presently scheduled. Only by the possible elimination of some of these pictures would it permit further exploitation of the fewer remaining pictures so that additional revenue might be obtained from the fewer releases. Admissions are too cheap only in rare instances, generally admissions are up to a practical level and only an outstanding picture such as 'Come with the Wind' indicates any general possibility of getting public support and good-will for added admission tariffs. Motion pictures are strictly a popular and democratic entertainment and must compete on price basis with other entertainment competition of bowling, baseball, and even free radio.

'Occasional borderline pictures can be exploited for additional headline results, and these results have been obtained recently with additional exploitation on such pictures as 'Housekeeper's Daughter' and 'Seventeen.'

'Theaters has become too largely concentrated on the weekends, which is due primarily to the demands of the distributors for weekends for their top pictures. The resultant injury in the midweek business has affected the revenues of the film companies as well as the theaters. A readjustment of these bookings through a mutual understanding between theaters and producers would increase revenues for all concerned.'

Edith Stern, of Business, large Chicago independent: "People are being driven away from theaters by double features. Though there are more people in the country today than in 1928, fewer people are attending picture houses, and the blame apparently rests on the deluge of double features which have swamped the public's taste. With double features, the headline might as well be closed at 1 p.m. since no other customers can be expected, since

those who come later will not be able to see both features complete.

'First run houses, especially the big houses such as the Uptown, Granada, Tivoli, and Marko, which have 4,000 seats and more space, with the pictures in such a degree with the two top pictures of the week that the lower houses have little left for their own showings.

'Single features remain the only hope for more revenue for the distributors, since the bulk of the upper houses today cannot hope to give up more money than they are now spending for pictures. If the distributors are to get more money they must get it from the big first run houses which today are getting the cream of the business. But the producers could get more if all the houses were making more money. But this is impossible under the present double features situation which permits a few houses to take the bulk of the public picture sale.'

Lincoln Exhibs Favor

Advance in Admissions

Lincoln, Neb., May 14. Howard Fyfe, general manager, Nebraska Theatres, Inc. (Lincoln and Valley, Neb. and 1,817 seats report: "I play many pictures extended time, but most of it is forced due to lack of product. I only attempt it with A's, but have found in all cases that money was in a good first week, given to the film companies in rental when the second week checks off."

Bak Livingston, Capitol, 828 seats, second run A's, 10-15-20c, double. "Only occasionally do I find a film worth extended time, and most of these fail to hold up on their half-week booking."

E. W. "Doc" Hoffman, city manager, Lincoln Theatres Corp. (Lincoln, 1,265 seats; Stuart, 1,264 seats; Nebraska, 1,261 seats: "We have always believed in giving a picture as many extra days as it will take. As quickly as they stop carrying their end, we take them off."

Federer and Livingston both believe the time is ripe to advance prices, and everybody agreed under the present setup of prices that no more money could be thrown into extra exploitation of given pictures. This being a smaller key, it has been found that, except in the cases of strong hits, too much money hawking an opening brings in a strong reaction and h. downturn after an initial flurry.

Fewer and better pictures is the Nebraska view on how the producers may aid themselves. It is contended that the big pictures make money as always, but the producers lose right along with the exhibitor on the B's, which, in groups of two or three, can write up enough loss to charge off a biggie's profit.

20th Argues Dismissal

(Continued from page 1)

General Film Exchange to his present status. Midway in the testimony of this questioning Blumberg was asked what title he held when he was with the RKO Booking Corp. The witness hesitated a moment, and then replied frankly, "Well, I often wondered what it was myself." Blumberg stated RKO owned 175 theaters before reversion, and after six months had only 88 left. The theaters were losing money from 1936 on, and in 1938 had a loss of \$2,360,000 and \$350,000 in 1939. In 1934 they climbed back into the black. He described the losses for the losses, but emphatically denied Clagett's impression that it was due to high prices paid for film rentals.

After some comedy repartee between Clagett and Edward C. Leffery, Blumberg's attorney, Universal head asked: "Do you want to hear a funny story?"

Without waiting for the Government attorney to answer, the Universal president described the Omaha situation in 1932, when RKO was about to have its largest theatre foreclosed. Blumberg said that he flew to the city, and was told that unless he raised \$5,000 by 12:30 the next day the theatre would be turned over to the court.

Tells all the Judge in '32

At that time it was showing a combination vaudeville and picture play. Bill Robinson and 30 colored dancers were the scheduled feature attraction. A new federal judge was appointed to the bench that day at 12:15, and unable to raise the money required, Blumberg walked into court at 12:30 and told the judge, "Well judge, you've just inherited 30 colored gals. You take care of 'em."

Blumberg spent some time on joking, describing its efforts and losses, and said that it enables a more intelligent and better financial operation of theatres. When Clagett at-

tempted to seek information on the Omaha problem in Omaha, Blumberg refused to allow Blumberg to answer, declaring bluntly, that "It was set up by some of your clients, Mr. Examiner, who showed it down your throat." Blumberg also refused to allow his witness to describe benefits of theatre ownership to production, and also wrote. The Government examiner got around this objection by asking questions which forced answers, which were in the main synonymous with those of other major company officials.

Quarrel on Film Spending

Asked what he takes into consideration and spends on a film to make it an 'A' picture, Blumberg declared that if he had an answer to that question the problems of the business would be solved.

The question of theatre acquisition has never been discussed while he was in office, by Universal, Blumberg said, this covering the past two years.

Universal has no difficulty in securing proper playing time for its good pictures, the examiner was told, and when with RKO that company repeatedly exhibited the features of Grand National, Monogram, Republic and Gaumont-British in its theatres, sometimes buying a whole theatre's product. The witnesses refused to demand a guess as to how many of these pictures played first run. Several other questions were asked by other Government counsel present, and the examination was then closed.

Wednesday (13), the Department of Justice and Government counsel reached an agreement on the documents required by the department for preparation of its suit. Monday (11) the Government started an examination of these documents at the offices of Loew's and will follow with Warners and Paramount. This violates the necessity of going to Judge Goddard in search of an order of inspection.

Charles C. Moskowitz, head of Loew's metropolitan theatres for the past 25 years, was examined before trial Friday (10) also by Clagett. Moskowitz was questioned on several new phases, the most important of which dealt with specific complaints by independent exhibitors against clearance granted by Loew's either to its own theatres or to affiliated theatres.

Moskowitz denied most of the questions relative to theatres outside of the N. Y. territory, claiming he knew about them only through hearsay, but not specifically. In this stand his attorney, John W. Davis, backed him and refused to allow questions to be answered.

Moskowitz on Feeding

Split product with RKO was explained and the way product is negotiated for. "If a picture is secured and its quality is not deserving of percentage terms, then it is taken on a flat rental," Moskowitz said. In securing films before they are actually produced, the reputation of the producing studio, stories, and stars available are taken into consideration.

The end of the film is not disclosed, and J. Robert Rubin, who was present, added, "Nobody knows the approximate cost of anything."

"If I can buy on a flat rental and my film bill would be less, I'd love to buy on a flat rental," declared the witness, who added that he always had trouble in buying product and settling deals for Metro films. "Look at those gray hairs," he added dramatically.

Complaints mentioned by the examiner were those of the Century Circuit in Brooklyn and Edward Peckay's Peckwick Theatre in Greenwich Conn. Moskowitz said, Loew's have no definite policy in acquisition of theatres. If there is a neighborhood in which I think a Loew theatre would be profitable, it then becomes my duty to try to get a theatre into that vicinity.

Adjustments on price of film are requested by Moskowitz all year around, but few are secured. The witness denied ever having heard of overage and underage, and asked for an explanation of the terms. He was asked if he had not seen them in the Government's complaint, and the answer was he had not read the complaint. Rubin remarked that if he did he would learn some new facts about the industry.

Nicholas Schenck, president of Loew's, will be the next witness examined.

Foreign Situation

(Continued from page 4)

fig. under guidance of L. Jack Schuster, opens in Chicago tomorrow (Thursday) for the rest of the week.

Of UA's Promised 34 Pix For '39-40, 23 Delivered

Of the 34 pictures United Artists producers were slated to make for the 1939-40 season, 23 will be delivered. In addition, two have been released which were not on the schedule, making a total of 25 distributed. Of the 11 programmed and not released, five have been apparently abandoned by necessity or choice, while the remaining six will be carried over into the new year.

Out of the total of 25 to be delivered, 18 are yet to be shipped. Four will be released before the end of the actual film season, while the other six that will be carried over will be sold as of 1940-41.

Total of 14 promised included four American Laurel and Hardy's, of which two have been abandoned and two turned out to be career versions. Another summary given up is 'The Californian,' which the late Douglas Fairbanks was to make. In addition, two promised Alexander Korda pictures which were to be made in England are not mentioned for future release. They are 'Blazer' and 'Jungle Boy.'

The two films released which were not announced at last year's convention are Korda's 'Line Has Wings' and Goldwyn's 'Raffles.' Four films to be released before end of the current season are 'Our Town' (Lester), 'Over the Moon' (Karl), 'Therapist' (Booth) and 'Capt. Castor' (Booth). Six to be carried over are an Ernst Lubitsch picture not yet named, and five Edward Small productions, 'Papa Papa,' 'Son of Monte Cristo,' 'Man in Iron Mask,' 'Valentine,' 'El Cid' and 'Two Years Before the Mast.'

Small's Music Dep't

Hollywood, May 14.

Full time music department for all his productions has been established by Edward Small, with Edward Ward as headman. Deal calls for Ward to furnish his own composers and arrangers and permits him to take on a few outside jobs.

Currently Ward is scoring Small's 'Smith of Pigeon Pigeon.'

Inside Stuff—Pictures

The final judgment and court order to be filed in the historic "Lobby" litigation has been laid to rest in the N. Y. federal court, ending an eight-year court battle through the highest court in the land and awarding Edward G. Robinson and Margaret Avery Barnes \$107,568 for the plaintiffs of their play, "Disenfranchised Lady," in Metro's "Lobby" film.

The U. S. supreme court, upholding the verdict of the N. Y. circuit court of appeals, on Nov. 20, 1935, granted the award as follows: as against Metro, \$107,568 plus \$1,000 interest, as against Metro Distributing, \$107,568 and \$1,000 interest, as against Loran's, \$107,568 and \$1,000 interest, as against Culver Export Corp., \$107,568 and \$1,000 interest, as against all defendants \$10,000 attorneys' fees plus \$1,000 interest. Other interest and costs amount to \$2,714.

The final figure represents 25% of the net profits realized by the defendants.

Law firms, again given credit for discovery of Darryl F. Zanuck's new find, Robert Sterling, says the bill's name had to be changed to avoid confusion. His real moniker is William E. Hart.

Probably oldest active hitch-hiker in the country is 81-year-old Jim McGowan of Pittsburgh, an uncle of Jim Alexander, head of Republic film exchange in that city. McGowan thanked his way to Louisville for the Kentucky Derby and over the weekend went to Baltimore the same way for the Frodo. McGowan says the metropolitan refuses to travel any other way and, what's more, is particular about the make of car he'll ride in. Punks only the big ones, telling the others who stop for him to go ahead. McGowan is one of Pittsburgh's last-known characters and has hitch-hiked in every section of the country.

Bathrobe with of Cary Grant in "The Howards of Virginia" shodded like a cake of wet soap past the Will Hays office and broke into the newspapers, because Frank Lloyd, indie producer with a Columbia releasing outfit, is not under Hays control. Pictures of Grant, lathering his chin in a wooden laundry tub, were sent simultaneously to the dailies and the Columbia publicity department. By the time Joe Stern had issued an ultimatum to the studio, the mucky portraits were already in print.

Indies' H'wood Swarm

Continued from page 1

tain at bookmakers at Hollywood and Van.

General Service and RKO-Pathe studios, the two biggest strictly rental lots, are today looked solidly for the next year, with a majority of their commitments carrying through a second season. Late entries into the field are momentarily besieging Universal and Hal Roach to lease their space, with some even appealing to Samuel Goldwyn for admission to his lot, although his rates are as steep as only those companies fortified with top-rin can make the grade.

It's a real change from the plant rental conditions of a year or so ago, when General Service, owned by Eryk, Tallman, the property of L. A. Young of Detroit, International, operated by Ralph Lika, and Sunset studios, smallest of the group, were almost unobtainable, with those who pay the horrendous city, county and state taxes on them even offering aid in securing new producers in an effort to keep the wheels turning. For five years David G. Selznick was practically the sole tenant of the RKO-Pathe property.

Overlaid General Service. So crowded is General Service at the moment that Eryk has been forced to make a deal with Franklin Warner, who recently took over the old Educational studio for Fine Arts, to handle the QD overflow there. On those occasions when FA, too, is short, Eryk, much as it dilutes the idea of meeting Sam Goldwyn's tariff, is forced to do business with him in order to make good on its license space requirements.

Selznick's deal for RKO-Pathe having expired, RKO is now using it as a home site for some of its own production units as well as those already making films for RKO release. Company's Gower street plant has in recent months been so overland that it was necessary to strike only immediately they had been used, and to work construction crews on overtime pay to erect new ones in their stead in order to keep the cameras rolling.

With the taking back of RKO-Pathe, thus permitting the opening out of production on the Gower street, RKO is also able to net a profit on the rentals paid by self-financed organizations taking advantage of its distributor status.

Edward Small, Frank Lloyd, Alexander Korda, Richard Rowland, Harry Sherman and Stephen-Lang Productions are now hawking all the offbeat, stagey and cheap, as well as the entire mechanical facilities of General Service studio. With Small and Lloyd leasing simultaneously, Eryk has had to park Sherman and Stephen-Lang in Fine Arts, and will probably have to move Korda west to Goldwyn's when his "Third of March" interiors get under way.

Operating at RKO-Pathe, in addition to these RKO units, are Lou Delrow's Vogue Productions, which is making the "Little Abner" feature, Jack Vinton and Sam Chodoff's Lam and Abner series (Vogue Productions), and Charles Ford and Jerry Brant, who will make the "Destiny"

good Baker's Men, all of which have RKO releases. William Hawks and Ronald Colman will also house their fresh-baked United Producers Corp. there, as will Sid Schluger with his Producers Corp. of America, which will make the John Charles Thomas Starline.

Morris Cocks Elbow Room. Boris Moros and Robert Stillman, who have been offering their National Pictures Corp. on the General Service lot, are looking now quarters where they can get stage space for shooting their initiative, "United Chorus," with Universal as the most likely choice, although it has already taken in John Lory's Mayfair Productions and David Low-Albert Lewis Productions.

Goldwyn is taking care of Walter Wanger, Arner, James Brannan's Reginald Brown Productions, Sol Lesser and Eryk Lubitch Productions, which is sufficient to cause plenty of schedule juggling on the part of the studio manager's staff.

Hal Roach lot has Wilding Productions (commercial films) which is about all it can handle when Roach himself is busy.

Tallman Studio, which is managed by John F. Meslin, as owner Young's Court rep, is listing a peak load due to the upturn in camera-cracking by indies. Headquarters for Monogram for the last three years, the studio is now housing six other indie units. Headquarters there, in addition to those, are E. B. Derr's Crescent Pictures, Spectrum Pictures, which is doing eight westerns for Mon release; T. R. Williams, who is rallying for a group of suppliers and producers; George Wicks, doing eight westerns for Mon release; Bud Berky, with plans for 26 features; and the Hubbard Hunt outfit, which is making films, talkies.

International studio is the home port of the British-American Talent School, besides which it can accommodate only one or two small indie plants. It was recently taken back by Lika from Betanema Productions, which failed to carry through with its announced program.

Budget Studio houses Alexander Bova, Milton Dollar Productions and others. While it has only one stage, it has plenty of office space.

Edwin Kelly Rental.

Hollywood rental costs vary considerably, depending upon the number of trucks offered the renter. An outfit operating on budgets ranging from \$10,000 to \$200,000 has to hand Goldwyn an average of \$4,000 per shooting day for the use of his lot, while the same company can get to \$2,000 per day on the General Service lot.

Goldwyn's price is high because he passes out the greatest number of "tickets" to producers, but the fee is the same regardless of what use the latter makes of them.

And there's way rent another ray of hope for Manhattan's Little Flower. Indie producers don't like to spend any more than is necessary. They're funny that way.

It's just possible that Blumhouse is in a position to do a bit of whitening on New York studio rentals.

FILM BOOKING CHART

(For information of theatre and film exchange business VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of release is given in VARIETY and the running time of prints are included.)

ENTERTAINMENT, 1940 BY VARIETY, INC. ALL RIGHTS RESERVED

Rev. to Spec. Released to Variety New to Spec. Released to Variety N. Y.—New York Times M.—Metropolitan; C.—Cinema; E.—Exhibition; D.—Drama; H.—Horror; M.—Musical; R.—Romance; S.—Science Fiction; W.—Western

WEEK OF RELEASE	Rev. to Spec. Released to Variety	TITLE AND COMPANY	TYPE	TALENT	R. T.
3/15/40	5/15	MEN WITHOUT SOULS (Cdn)	M	R. Madson, J. Lloyd, B. Marlowe	80
	2/14	YOUNG TOM BRIDEN (M-G)	ED	M. Sweeney, F. Bunker, G. Sweeney	80
	2/20	MIDNIGHT LIMITED (M-G)	M	J. King, M. Reynolds	80
	2/14	WOMEN WITHOUT NAMES (Par)	M	E. Brown, J. Payne, J. Barrett	80
	2/9	BILLBOARD PLAYBOY (RKO)	C	J. Payne, L. Hayes	80
	2/15	PIONEERS OF THE WEST (RKO)	W	E. Livingston, B. Marlowe, M. Sweeney	80
	1/21	GRAPES OF WRATH (M-G)	D	H. Fonda, J. Bernard, J. Caroll	80
	5/1	MAKING STEAK AT ME (U)	MU	C. Moore, J. Sweeney, E. Carle	80
	2/21	BENNY (U)	M	J. Sweeney, L. Hayes, J. Payne	100
	2/13	THE FIVE FIVE (WB)	CD	P. Lane, T. Sweeney, B. Marlowe	100
3/22/40	2/9	THE MANY MARRIAGES (Cdn)	C	J. Arthur, F. MacFarlane	80
	2/20	ROAD TO SINGAPORE (Par)	MU	M. Sweeney, B. Marlowe, M. Sweeney	80
	2/20	PRINCESS PATH (RKO)	M	G. Rogers, J. McCrea, M. Sweeney	80
	2/20	FORGOTTEN GIRLS (RKO)	D	L. Paul, B. Marlowe, W. Gibson	80
	1/21	THE GLACIER (M-G)	ED	E. Temple, B. Marlowe, M. Sweeney	80
	2/21	IT'S A DATE (U)	ED	D. Fonda, B. Marlowe, W. Gibson	100
	2/20	VIRGINIA CITY (WB)	W	E. Brown, M. Reynolds	100
3/29/40	4/10	SON OF THE NAVY (M-G)	C	J. Parker, J. Dunn, M. Reynolds	75
	2/14	THE FARMER'S DAUGHTER (Par)	C	H. Fonda, C. Rogers, B. Marlowe	80
	4/3	GHOST VALLEY RAIDERS (RKO)	W	B. Marlowe, J. Sweeney, M. Sweeney	80
	2/21	BANDS OF GOLD (RKO)	W	G. Rogers, J. Sweeney, J. Sweeney	80
	4/14	FREE BLONDE AND (U)	C	L. Paul, J. Sweeney, M. Sweeney	80
	1/9	OVER THE MOUNTAIN (U)	C	H. Fonda, B. Marlowe, M. Sweeney	80
4/5/40	2/13	BLAZING 'EX REDDITORS (Cdn)	W	T. Sweeney, J. Sweeney	80
	4/2	AND ONE WAS BEAUTIFUL (M-G)	D	J. Sweeney, L. Hayes, C. Rogers	80
	4/24	TWO GIRLS ON BRADWAY (M-G)	MU	L. Paul, J. Sweeney, J. Sweeney	80
	2/15	TOMMY (M-G)	C	J. Sweeney, M. Sweeney	80
	1/24	ADVENTURE IN DIAMONDS (Par)	M	G. Rogers, J. Sweeney, J. Sweeney	80
	4/3	COUSAGIOUS DR. CHRISTIAN (M-G)	M	J. Sweeney, B. Marlowe, L. Hayes	80
	4/3	STAR DUST (M-G)	CD	L. Paul, J. Sweeney, J. Sweeney	80
	5/1	HALF A SINNER (U)	D	H. Fonda	80
	5/15	ONE MILLION B. C. (U)	D	L. Paul, J. Sweeney, J. Sweeney	80
	5/15	IT ALL CAME TRUE (WB)	CD	A. Sweeney, J. Sweeney	80
4/19/40	2/1	MAN WITH NINE LIVES (Cdn)	M	R. Madson, B. Marlowe, J. Sweeney	80
	4/17	MR. SILVER'S STRANGE CASE (M-G)	ED	L. Paul, J. Sweeney, J. Sweeney	80
	5/4	COVERED WAGON TRAILS (M-G)	W	J. Sweeney, B. Marlowe	80
	2/9	MR. CYCLOPS (Par)	D	A. Sweeney, J. Sweeney, J. Sweeney	80
	4/17	MY VOICE (RKO)	W	M. Sweeney, L. Hayes, J. Sweeney	80
	2/20	VIVA CHICO BIRD (M-G)	ED	C. Rogers, J. Sweeney, J. Sweeney	80
	5/15	HOUSE OF SEVEN GABLES (U)	D	H. Fonda, J. Sweeney, J. Sweeney	80
	5/17	KING OF THE LUMBERJACKS (WB)	M	J. Sweeney, B. Marlowe	80
	5/1	YOUNG BUFFALO BILL (RKO)	W	R. Madson, B. Marlowe, J. Sweeney	80
4/19/40	1/24	I MARRIED AN ADVENTURE (Cdn)	D	Mrs. G. Johnson	80
	4/17	CHANDLER TRAILS (M-G)	W	T. Sweeney	80
	4/17	ARE LINCOLN IN ELLIOTT (M-G)	ED	R. Madson, B. Marlowe, M. Sweeney	110
	5/1	JOHN APOLLO (M-G)	ED	T. Sweeney, B. Marlowe, M. Sweeney	80
	5/1	SAKS AT SEA (U)	C	L. Paul, J. Sweeney	80
	4/24	EMERGENCY (U)	D	J. Sweeney, B. Marlowe	80
	4/24	TILL WE MEET AGAIN (WB)	ED	M. Sweeney, B. Marlowe	100
	5/1	IN OLD HINDUSTAN (RKO)	ED	W. Sweeney, B. Marlowe, J. Sweeney	80
	4/24	LIGHT OF WESTERN STARS (Par)	W	T. Sweeney, J. Sweeney	80
	4/24	DARK CUMBERS (RKO)	W	C. Rogers, J. Sweeney, J. Sweeney	80
4/24/40	5/1	DOCTOR TAKES A WIFE (Cdn)	CD	L. Paul, J. Sweeney, J. Sweeney	80
	4/17	FOUR LITTLE MOONSHINE (M-G)	ED	C. Rogers, B. Marlowe, M. Sweeney	80
	5/1	MYSTICUS DR. NEEDS (M-G)	M	H. Fonda, B. Marlowe, J. Sweeney	80
	11/15	FRENCH WITHOUT TEARS (Par)	C	E. Brown, M. Reynolds	80
	4/10	CERTAIN CALL (M-G)	ED	B. Marlowe, J. Sweeney, J. Sweeney	80
	5/1	COVERED WAGON DAYS (RKO)	W	R. Livingston, B. Marlowe, M. Sweeney	80
	2/9	SHOOTING STAR (M-G)	D	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	AN ANGEL FROM TEXAS (WB)	C	E. Brown, B. Marlowe	80
	4/24	GRANDPA GOES TO TOWN (RKO)	CD	J. Sweeney, B. Marlowe, M. Sweeney	80
5/2/40	4/24	BLACK 'K' RIDES TONIGHT (Cdn)	W	M. Sweeney	80
	5/1	MYNE (M-G)	ED	A. Sweeney, B. Marlowe, J. Sweeney	80
	2/20	ON THE BEACHES (M-G)	C	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	IN MILE TEAM (M-G)	D	W. Sweeney, B. Marlowe, J. Sweeney	80
	4/17	BECK BERRY RIDES AGAIN (Par)	C	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/15	TEAR GAS SQUAD (WB)	M	D. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	IF I HAD MY WAY (U)	MU	R. Madson, B. Marlowe, J. Sweeney	80
5/10/40	5/1	OPENED BY MISTAKE (Par)	CD	C. Rogers, J. Sweeney, J. Sweeney	80
	4/2	BEYOND TOMORROW (RKO)	CD	C. Rogers, J. Sweeney, J. Sweeney	80
	5/1	THE CHICKEN ROAD (RKO)	M	E. Brown, B. Marlowe, J. Sweeney	80
	5/1	I WAS AN ADVENTURER (M-G)	D	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	THE PATROL (U)	D	L. Paul, J. Sweeney, J. Sweeney	80
	5/15	EDISON, THE MAN (M-G)	D	B. Marlowe, J. Sweeney, J. Sweeney	80
	5/15	GAUCHO RENOVATE (RKO)	W	H. Fonda, B. Marlowe, J. Sweeney	80
	1/10	COWBOY FROM TEXAS (M-G)	W	T. Sweeney, B. Marlowe, J. Sweeney	80
	1/10	SATURDAY'S CHILDREN (WB)	D	A. Sweeney, B. Marlowe, J. Sweeney	80
5/17/40	4/24	RAIDERS FOR SALE (Cdn)	C	G. Rogers, B. Marlowe	80
	5/15	TWO GIRLS ON BRADWAY (M-G)	ED	L. Paul, J. Sweeney, J. Sweeney	80
	5/1	WATERLOO BRIDGE (M-G)	D	H. Fonda, B. Marlowe, J. Sweeney	100
	5/1	TEPHRO (Par)	ED	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	MY FAVORITE WIFE (RKO)	ED	L. Paul, J. Sweeney, J. Sweeney	80
	5/1	ON THEIR OWN (WB)	C	E. Brown, B. Marlowe, J. Sweeney	80
	5/1	TURNABOUT (U)	D	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	SANDY IS A LADY (U)	C	S. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	ISLAND OF DOOMED MEN (Cdn)	D	P. Lane, B. Marlowe, M. Sweeney	80
	5/1	THE FRODO SANTA FE (M-G)	W	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	GANGS OF CHICAGO (RKO)	M	L. Paul, J. Sweeney	80
	5/15	ALL THE REASONS (U)	C	R. Madson, B. Marlowe, J. Sweeney	80
	5/15	FLIGHT ANGELS (WB)	M	V. Sweeney, B. Marlowe, J. Sweeney	80
5/24/40	5/1	TEXAS STAGECOACH (Cdn)	W	C. Rogers, J. Sweeney	80
	5/1	ON THE SPOT (M-G)	M	F. Sweeney, B. Marlowe	80
	5/1	THE NIGHT EATER (Par)	ED	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	YOU CAN'T FOOL YOUR WIFE (RKO)	CD	L. Paul, J. Sweeney, J. Sweeney	80
	5/1	ROCKY MOUNTAIN RANGERS (RKO)	W	R. Livingston, B. Marlowe, M. Sweeney	80
	5/1	LILLIAN BURNELL (M-G)	ED	A. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	USE TOWN (U)	D	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	THEIR DREAM (WB)	ED	J. Sweeney, B. Marlowe, J. Sweeney	80
5/31/40	5/1	LONE WOLF MEETS LADY (Cdn)	M	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	SUSAN AND GORD (M-G)	C	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	QUEEN OF THE TIGER (M-G)	M	No one	80
	5/1	WAY OF ALL FLESH (Par)	D	A. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	BILL OF DIVorcEMENT (RKO)	D	M. O'Brien, B. Marlowe, J. Sweeney	80
	5/1	MARRIAGE IN TRANSIT (M-G)	ED	E. Brown, B. Marlowe, J. Sweeney	80
	5/1	LA CONGA NIGHTS (U)	ED	H. Fonda, B. Marlowe, J. Sweeney	80
	5/1	RAD MAN FROM RED BUTTE (U)	W	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	MURDER IN THE AIR (WB)	M	R. Madson, B. Marlowe, J. Sweeney	80
6/7/40	5/1	FAREFUN TO ALICATRA (Cdn)	M	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	THE PHANTOM RIDERS (M-G)	CD	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	HIDDEN GOLD (Par)	W	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	SANDY TAKES OVER (RKO)	M	G. Rogers, B. Marlowe, J. Sweeney	80
	5/1	FRANCE LAW (RKO)	W	G. Rogers, B. Marlowe, J. Sweeney	80
	5/1	CANTHROUS (M-G)	D	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	NO KAT (U)	D	W. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	NEITHER NICHOL (WB)	CD	E. Brown, B. Marlowe, J. Sweeney	80
6/14/40	5/1	GIRLS OF THE ROAD (Cdn)	D	A. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	THE MORTAL STORM (M-G)	D	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	SAFARI (Par)	ED	M. Carroll, B. Marlowe, J. Sweeney	80
	5/1	TOM BROWN'S SCHOOL DAYS (RKO)	D	J. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	FOUR MOONS (M-G)	D	R. Madson, B. Marlowe, J. Sweeney	80
	5/1	SANDY IS A LADY (U)	D	S. Sweeney, B. Marlowe, J. Sweeney	80
	5/1	FUGITIVE FROM JUSTICE (WB)	M	R. Madson, B. Marlowe, J. Sweeney	80

Theatres—Exchanges

(Continued from page 11)

employed in Illinois several years ago. He was in the nomination for a large majority in primary. Run in 19th district comprising Armstrong, Jefferson, Indiana and Columbia counties.

Construction started on new three-story Park Theatre in Marshall district by John Stahl, who previously owns and operates two three-story houses with his son. New spot will have capacity of 100, ready late this summer.

Bradley: Ted Davis, Metro student salesman from Detroit, working out of the local branch now. . . Exhibitor Ralph Morris up and around again, following an operation. . . L. C. McElroy back at the Monroe as manager. . . Joe Gino, Columbia salesman, grabbed best weekly average this year in Film Row bowling league.

Elmore Surprises Memphis

Memphis, May 11. Naming of Robert Elmore as manager of the soon-to-be-opened Lure's Palace here came as a complete surprise to local film circles. It had been taken for granted here that Col. Cecil E. Vogt, for 19 years manager of Lure's State, would be appointed to city manager under assumption of the union in evidence prior to the recently-secured Lightman lease on the Palace.

Announcement by J. R. Vogel out of New York is that Elmore will run Palace. Vogel will operate the State, and there will be no city manager, the two being independent rivals. Elmore started in Memphis as usher 15 years ago.

Belmer's Stationary Post

Fort Wayne, Ind., May 14. Frank J. Belmer, formerly of Indianapolis, appointed manager at Quimby Theatre, Fort Wayne, which operates the Paramount, Embassy, Jefferson and Riley. Belmer assumed several changes in policy, as follows:

One picture weekly at the Embassy and Paramount, and stage shows at the Embassy every two weeks; one first-run film and one grade A second-run picture with each change of film at the Jefferson. Films to be brought here will be scheduled in Fort Wayne soon after their release dates.

W-K's 11th in Spartanburg, S. C.

Spartanburg, S. C., May 14. Wilby-Kinsley expected to start work on new Criterion, chain's fourth Spartanburg house, this summer.

Carolina Wilby-Kinsley's top Hendersonville, N. C. house, damaged slightly by fire recently. Home seriously injured.

Robert Wilby among those appear-

ing recently before Charlotte City Council in effort to further spread Sunday pic to Carolina.

Severe Allen assumed new duties as manager of Strand here.

McCarthy, Bridgman Swap

Burlington, Vt., May 14. William E. McCarthy, manager of the Majestic for years, transferred to Berlin, N.H., as manager of the Princess. Replacing him here will be Edward Bridgman, transferred from the Berlin theatre. Both part of the Maine & New Hampshire circuit.

Book Weaver's Spot

Dallas, May 14. New Fox sales manager of the Dallas district is C. H. (Book) Weaver. Hugh Bailey, district manager, announced Weaver will assist L. W. McClintock, Dallas branch manager. Weaver has been with Fox 12 years, for many seasons covering East Texas.

Ed Berke, RKO division manager here, announced last week that Vernon (Bud) Gray, p.a., will audit the publisher's portfolio heretofore in this territory.

New Canal Mayfair

Los Angeles, May 14. Mrs. Jennie Dodson opens her new Mayfair, costing \$12, early in June. Policy sale for single bills at 10c apiece.

While other operators are cutting prices, the Oriental, run by Carlos & Sister, upped from 10c to 12c.

Biggie Bros. Add

Cincinnati, O., May 14. Biggie Bros., Steubenville operators, have acquired the Virginia, only picture house here. Theatre for the past 10 years has been owned and operated by Ralph E. Bishop and it will be dark for about a month to permit modernization, repainting, new sound and projection, restating, etc. Biggie operated the Grand, Steubenville, for past 12 years.

Gene Murphy Cyped

In line with the Lure's policy of promotion from the ranks, Oscar A. (Book) advertising director, has designated Gene Murphy, newspaper contact man, to succeed Art Schmidt, newly appointed publicity manager at Metro, under Howard Data. Murphy will handle the portfolio serving for Lure's out-of-town theatres.

Tom Rogers, publicity man for the Valencia, Jamaica, will assume Murphy's duties as N. Y. newspaper contact. Teddy Arnow moves from Westchester into the Valencia, while Jerry Sager steps from a midtown

division into the Westchester job. Al Lipp, Newark, succeeds Sager in Manhattan. Arthur Epstein, now in Jersey City, will handle both J. C. and Newark.

Schmidt formerly was assistant to Book in charge of Lure's theatre publicity. Metro's setup now has Ed Seader as advertising manager, William R. Ferguson, exploitation manager, and Schmidt publicity manager. Howard Strickling is the Court publicity chief and Frank Whitbeck on exploitation. Data will travel frequently between N. Y. and California heretofore.

Barnea Goes Sterling

Seattle, May 14. Charley Barnea, formerly with Hummel-Evergreen here, now manager of Palomar, Sterling chain.

Bilskirking

Detroit, May 14. Bilskirking work fast and in strange ways. First house to close here for the summer season is the Crown, which sustained all-Polish films.

Soloff's Post

San Antonio, May 14. Elmer R. Soloff, former manager of the Plaza here, recently raised for a department store, will manage the Arden and Elva, both operated by Dr. J. L. Montague at Edinburg, Tex.

Joe Garrison Promoted

Joe Garrison, formerly Universal branch manager in St. Louis, made district manager of Omaha, Kansas City, Des Moines and St. Louis, replacing Pete Deane, who comes to New York on special assignment out of the home office. Harry Hines, salesman in St. Louis, office succeeds Garrison as branch manager.

Lorenson's Addition

Buffalo, May 14. Herman Lorenson, having sold his theatre at Cattaraugus, will break ground this month for his new Fredonia theatre, Fredonia, seating 600. J. Fred Strasser, former operator of the Emblem, dead at Lancaster, Colonial Niagara Falls, closed by St. John; also Majestic, Hornell, by F. Peters.

Former partnership of Emil Teichmayer and Frank Minor operating the Canns, Buffalo, terminated; Minor now operating solo.

Comm'l Short

(Continued from page 1)

created blood pressure from his indignation at film.

Picture should not be confused with "Our Town," made by Ted Lauer for United Artists and not yet released. The one complained of was made purely for propaganda purposes by Astor Productions. Miller said it purports to present an anti-social theme denouncing unions in favor of big manufacturers. Plaintiff says he has never belonged to a union.

Newsreels' Commercial Plugs Nixed by Exhibs

Growing tendency of newsreels to give screen credits profits to commercial firms and the growing increase of plugs for film company features are beginning to react unfavorably with exhibitors. Their argument is that if they pay for a newsreel, they have a right to expect it to be devoted strictly to news. Some contend this is beginning to lead newsreels into the category of advertising films.

Exhibs don't object if mention of a firm or company is pertinent to the news value of the subject, and they admit that many reels still plug up certain black stories rather than comply with film credit. But it doesn't answer their appeals on the plugs for feature pictures, special previews or other articles being used to sugar-coat the belly. Exhibitors charge that this practice even extends to publicizing by certain reels for competitive distributors because the newsreels are black-outlined into daily theatre outlets.

Newsreel editors claim their hands are tied when certain coverage on previews is ordered. But they do believe that plugs for hotels, style shops, stores, etc., are unethical and should be stamped out by uniform action of all five reels. Their belief is that some one reel is black-outlined into giving credit to the screen every newsreel has to follow suit or be barred from covering certain style reels, etc.

One newsreel editor this week said that "the reels have been thoroughly devoid of such extraneous matter for nearly 20 years—then suddenly there is a tremendous growth of the practice." He admitted there was little that could be done about it until all reels presented a united front.

Literati

Webb Miller: In Memoriam

Death of Webb Miller, general European manager of the United Press, near London last Wednesday (11), removes one of the last of the American war correspondents who did similar service during the World War. Miller was killed in falling from a moving train during a black-out period. Germany immediately accused the British of murdering Miller for devious reasons. His death was believed accidental, with the explanation given that the correspondent had probably been under the impression the train had halted at a station when he stepped off.

The dispatches of Miller from the various war centers had been as prominently featured as they were during the World War. He joined United Press in 1918 after serving as a free-lance reporter covering the Pershing expedition against Pancho Villa. When the World War broke out he was sent to Europe.

Miller covered the various European troubles since, and at the time of the Abyssinian invasion by Italy secured a notable feat over the late Floyd Gibbons.

Miller, who was 48, recently authored a book, "I Found No Peace," an account of his career as a war correspondent.

That Red Herring Again

Self-designated progressive group within the New York Newspaper Guild is quietly going about marshaling support for a test of strength with the so-called regulars for delegates to the American Newspaper Guild convention in July. It's reported that the faction, which is headed by Oliver Pilot, of the N. Y. Post, is doing uncommonly well, with a strong possibility that it may send a majority of the delegates to the annual convocation.

The undertaking is highly significant in that, should the progressives in the New York Guild triumph over the regulars, the issue of radicalism to the ANG may be brought out into the open on a national scale. The Pilot group has accused the leaders of the New York Guild of being affiliated with Communism, the fire allegedly being directed at Carl Randow, who defeated Pilot for the presidency of the New York Guild; Nat Eklund, the New York Guild executive; Milton Kaufman, once one of the national body, and others.

With Ken Crawford, past of the ANG, reportedly in sympathy with the progressives, regulars are said to be grumbling Kaufman for presidency of the national body, which, it is understood, will be made a paid, full-time job at the convention. Progressives and others would like to see Crawford take the post as a paid, full-time one, but Crawford is reported to have said that he will not run. He recently became Washington correspondent for PM, the forthcoming New York tab, and would like to continue at that.

It's claimed by the Pilot group that it is getting even more support in units outside of New York than in the metropolis. If that is so, the faction may capture the convention completely.

Among newer charges leveled by the Pilot group against those now in control of the ANG is that the recent contract signed with the Associated Press was rushed through for privilege, despite unworthy conditions. Wages under the AP pact are claimed to be inferior and wholly out of line with other parts. That's one of the many things expected to get a hammering at the convention.

AP and Sarah Bernhardt

Press-applauding itself through the new book by Oliver Gramling and William A. Kinsley on its 50 years of existence, the Associated Press wasn't above seeing it up in the story it sent out to all member newspapers. Six years its lovely head in the story sent out to most of the 1,000 member newspapers in the association—the only one used—about Sarah Bernhardt.

The authors describe it this way, according to the dispatch:

"Sam Davis, a Nevada string correspondent. . . interviewed the great Sarah Bernhardt for the Carson Appeal, his own little newspaper; for the San Francisco Examiner and for the cooperation. The actress liked him so much that when the troupe was ready to leave she put her hands on his shoulders, kissed him on either cheek and then sincerely on the mouth. Said she, 'The right cheek for the Carson Appeal, the left for the Examiner, the lips, my friend, for yourself.' Davis displayed no signs of look-

ing, 'Madame,' he exclaimed, 'I also represent the Associated Press, which serves 200 papers west of the Mississippi River alone.'

Film Rye Report Books

How time based on books appreciate sales of the stories coincident with their republication is evidenced by the sales records of the 20 Pocket Books reprints. When the first 10 Pocket Books were issued just a year ago, "Withering Heights" was among them. Because of the simultaneous release of the screen version, the book was the company's best-seller despite the continual addition of titles.

Recently, Pocket Books reviewed Paul deKruif's "Microbe Hunters" and gave it the title of "Dr. Ehrlich's Magic Bullet," the same as that of the Warner film, whose subject is treated in the book. "Dr. Ehrlich's Magic Bullet" now tops "Withering Heights" in sales. Prompted by the success of these two, Pocket Books will bring out two more books coincident with their screen counterparts, "Tom Brown's School Days" and "Out Town." Latter will be the first modern play on the list.

Whole Feroe Books PM Joke

One of the funniest newspaper gags, printed by Walter Winchell, that Chamberlain resigned to join PM, the new N. Y. Daily, is almost served by applications for jobs on the daily.

One news agency (foreign) had applications filed with PM by everybody from the top man down to the office boys.

Ed Levin has resigned from the Bulfinch & Katz press department, Chicago, effective immediately, to join the promotion department of the new PM rag in New York. Appointment was made by Bill Benton, who is on leave of absence from the University of Chicago, to head the PM promotion staff.

Levin has been with N. Y. K. for nine years and joins PM immediately.

Look's \$200,000 Libel Suit

James G. Bearden, president of Fume Institute at Randall Green, Mass., filed suit Friday (10) in N. Y. federal court against Look, for, including \$200,000 damages for alleged libel. The plaintiff was formerly Commissioner of Education of Massachusetts.

It is alleged that the libel appeared in the Dec. 19, 1939, issue of Look and among the charges are graft, malfeasance, and acceptance of bribes.

War Correspondents Aid

Flareup of the war set off an erosion of war correspondents to Europe. A Times article Saturday (11), including Byron Price, executive news editor of the A. P.; Lloyd Lothrop of the A. P.; M. R. Kahkhaber, of ENR; Virgil Fudley, European manager of UP; and Glen Melvin Stadler UP.

Book Felt's Law Pay

Approximately one-third of those employed in the book publishing industry receive less than the Government standard for a minimum wage based on New York State Department of Labor budgets, according to the first salary survey ever made of the list, and conducted by the Book and Magazine Guild.

The report was presented in "Living Newspaper" form at a meeting of the organization in New York. The union was addressed by Fannie Hunt and Elmer Brown, the latter the type union head, both of whom urged something be done to raise the wage standard in the book publishing industry.

Returns from 38 representative firms in the list made up the report. A few of the publishing houses, including Knopf, Random House, Viking and Modern Age Books, have parts with the Guild. Wages paid by these concerns were higher than the average reached for the industry as a whole, it was emphasized.

LITERARY OBITUARIES

Harry L. Fudley, 26, secretary to U. S. Senator William H. Smithers (D-M. J.), and former chairman of the Atlantic City Press-Union, died May 2 at his A. C. home after a long illness.

Albert Jones, 27, night editor of the Camden (N. J.) Courier and secretary of the Newspaper Guild of Philadelphia and Camden, died

(Continued on page 32)

New York Theatres

GONE WITH THE WIND
With this magnificent cast, GONE will be the most talked of picture of the season. . . at least until Oct.
ASTOR
ALL SEATS RESERVED
Times 2:15, 8:45 p. m.

HELD OVER
"IF I HAD MY WAY"
With Bing CROSBY and Marie DRAE
CASTED BY VOLV
Times 2:15, 8:45 p. m. SUNDAY SHOWS

PARAMOUNT
HELD OVER 4TH WEEK
"Back Benny
Benny
Times 2:15, 8:45 p. m. SUNDAY SHOWS

Capitol
With this magnificent cast, GONE will be the most talked of picture of the season. . . at least until Oct.
Times 2:15, 8:45 p. m. SUNDAY SHOWS

State
Last Week's "ROAD TO RUIN"
Times 2:15, 8:45 p. m. SUNDAY SHOWS

THEY'RE A BETTER SHOW AT THE
RKO
THEATRE

MR. PRATT, MEET IT
CAGNEY • SHERIDAN
O'BRIEN
"TORRID ZONE"
Times 2:15, 8:45 p. m. SUNDAY SHOWS

MUSIC HALL
HELD OVER
MY SON, MY SON
Spectacular Stage Productions

GENERAL FOODS SLAPS BACK

Orr Out to Create Greatest Agency Radio Dept. in the Biz, He Declares

Robert W. Orr, executive v.p. of Lennen & Mitchell, declared last week that he is determined to build the greatest radio department in any agency and for that reason he was against to buying any package programs. Orr's remark was made in connection with his decision not to renew Charles Bayer on the basis that had been proposed through Bayer's agency. Bayer preferred to have control over his script and producer and he had suggested that his next series be based on a serial with a well defined characterization.

Orr flew out to the Coast last Friday (10) for another of his periodic radio staff reshuffles. He's putting William H. Robinson, who is under contract to CBS, in charge of L&M's Hollywood operations. Robinson has been directing "Big Town" for Rothman & Ryan. Orr had earlier in the week fired Mark Polansky to assist as he put it, Mann Holloway, the agency's radio director, who has been on the Coast for the past two months. Before he left for Hollywood Orr explained that Robinson was to produce the Don Ameche-Old Gold show and that Polansky was to assist Jay Clark on the production of the Woodbury Playhouse (interests starting Bayer).

Orr denied the report that Polansky is slated to replace Clark, altogether and that Holloway was breaking with L&M. Orr said that he had not received a resignation from Holloway and that he was certain that the latter was coming back to the New York office.

When quizzed about a deal with Robinson last Tuesday (7) Orr stated that he knew nothing about it, but mentioned the hiring of Polansky. On Friday (10) Orr remarked that a confirmation would have been given between the contract with Robinson's signature hadn't arrived. This tender, added Orr, didn't reach him until Thursday.

As It Seems That—

Hollywood, May 14. Mann Holloway has resigned as radio director of Lennen & Mitchell agency, effective June 1. William H. Robinson takes over following the completion of "The Big Town" radio series which he produces.

Holloway will assume his new assignment in a few weeks. He headed the L. & M. agency radio department for 3½ years.

Wicker-Luther Flag-Waver Program Up for Kellogg Through Kenyon-Eckhardt

Kenyon & Eckhardt agency is negotiating a program framed around an Americanism theme for Kellogg Cereals. Includes Irene Wilbur, who has been with this agency as "The Singing Lady," and Frank Luther.

Part of the Kellogg business is also handled by the J. Walter Thompson agency, and the latter is reported as also getting together a show for the cereal manufacturer.

School Band Instruments As Coupon-Saving Lure

San Antonio, May 14. Latest tactic in giveaways via the airwaves is employed here by the sponsors of the South Texas High School Band Radio Competition. First band heard over WOAI here. Band instruments may be obtained at no cost for schools "simply" by saving the coupon that came in the sponsor's packet, Liberty Mills Flour.

Coupons are redeemable at a local music store and standard instruments are offered.

Fred Waring Renewed

Chickadee (Lippett & Bryant) has renewed Fred Waring for another 42 weeks, effective June 17, on the NBC-Red.

Replaces 10 stations.

College Crusade

Tucson, Ill., May 14. Station WDE has launched an every-other-week program entitled "College to Home" in which students at college speak, with the aid of earphones and short-wave, to their parents at home. It produces a certain amount of family harmony.

"That I made the honorary fraternity," said one student. "Fine, son, fine," said pa. "There's a \$5 initiation fee, dad," said the son.

AGENCY DENIES CANTOR PAID ON C.A.B.

Little Cantor starts his half-hour program for Bristol-Myers Oct. 2. He will have a new set of personalities with him and also a new producer.

Young & Rubicam, agency on the account, denied the report that Cantor's deal with the account is based on the ratings his program gets in the C. A. B. reports. Cantor has for years expressed the opinion that such formula would offer a sound basis for advertiser compensation.

Gordon Hittenmark Finds Out About Publishing

Washington, May 14. They're generous with the press hand-outs but can't take the sting of the backbit. Consequently, Gordon Hittenmark, NBC announcer, has given up his sideline enterprise—a weekly magazine carrying the programs and propaganda of all local stations.

Disillusionment came at the end of eight weeks. In which Hittenmark—who is able to get thousands of dollars at Christmas for the poor kids—found out that management was about all he could expect from the four local outlets. They tried to have their lips-tight spread around town but when it came to help building the hill they were straggled. Local answer—except from network executives who pat him on the back at the outset—was that "expensive" for advertising was made in New York.

Financial statement at the end of eight weeks shows:

	Receipts
From four stations	\$120.00
Expenses	
Cost of paper	\$1,200.00

At the moment, Hittenmark's mag carries three full-page ads for the National Capital's outlets. The two NBC plants, WBC and WMAL, doubled up as usual. Because the first issue was an experiment in both circulation and composition, the NBC people rejected the ads gratis the second week. After that all he received was good wishes. Even while the cover page imperially carried one of the various water-better-known publications and the inside was crisscrossed with propaganda from the government.

Ed Gardner in N.Y.

Ed Gardner has been brought to New York from his post at KDKA to get on an audition for the Paul Mall agency, a unit of the American Tobacco Co.

Gardner last week remarked to friends in the trade that he is contemplating leaving his postmaster position so that he can concentrate on his job as an "architect" engineer, something he has already started to do in his spare time.

BASEBALL IRKS NAT'L ACCOUNT

Jack Benny Program Shifts to WXYZ, Detroit, in Retaliation for WWJ Act—Bill Scripps in Quick Trip Melodies Sponsor, Says, Right to Broadcast Program Also

SYMPTOM

The long-reported tie New York kinkback from a national advertiser against local stations which caused out network programs to accommodate local commercials has taken place. It stems, by itself, a most significant development and is interpreted among advertising agencies in New York as symptomatic of a growing trend. Advertisers spending millions of dollars for time and entertainment resort to overplayed the local station defense that "local public interest, convenience and necessity" allows with exemptions for baseball, etc. They return that a network program can't be in the public interest 36 weeks a year and not in the public interest the next 13 weeks.

Defends the Series

The matter came to a head when General Foods ordered NBC to shift the Jack Benny program to WXYZ, Detroit, after the local end network outlet, WWJ, decided to pass up the show for baseball after much deliberation. The change remains on WXYZ, blue network affiliate, as a paid-for broadcast, while WWJ is free to carry it if it wants to also. The move to WXYZ was General Foods' device for retaliating at those network stations that would shelve its programs for local seasonal sports commitments.

Bill Scripps, of WWJ, fought the issue at both NBC and General Foods in a visit to New York. On the call to NBC's home office Scripps had his lawyer with him and there was talk about cancelling his contract with the network. It was Young & Rubicam, agency on the account, that had suggested the strategy and General Foods, after approving it, refused to budge. NBC took the position that it had no alternative but to protect its account. Because of a shrewd broadcast commitment on the part of KED the Benny show has been switched to the blue outlet in St. Louis, KWE. It is understood that WWJ will not be baseball broadcast should the latter interfere with the airing of the Benny program. The same status will prevail in Detroit and St. Louis when Benny goes on vacation next month and "The Aldrich Family" replaces him.

Fels Prepares List of Local Programs

WGAR, WGN, WCPO, WIL, KFRC, KHJ, Yankee Programs Are Rated Good

Harry Salter's Idea Show Still at Lord & Thomas

Lord & Thomas is still mulling over the purchase of Harry Salter's new show, "Song to Silver Fidget," as a summer replacement for the Bob Hope series. L. & T.'s option on Salter expires tonight (Wednesday). Young & Rubicam would like to offer the new show to General Foods for Platinum show L. & T. rejected.

Donald Dixon at KDKA

Pittsburgh, May 14. Donald Dixon, formerly of KDKA, who has been named by the production staff at that station following a two-year absence from radio but who helped fill vacancies caused by departure of Charles Urquhart for Chicago NBC (radio) show.

Dixon for several years was a member of KDKA.

Dallas News-Amon Carter in Deal For 2nd Two-City Sharing Setup

How to Win

Hartford, May 14. Info to contest item will be supplied weekly on WTRC by Mrs. A. Sherman Hirschman, who's won 36 prizes since 1938. Tagged "How to Enter Contests and Win" series is aimed at listeners currently competing or planning to go into contests.

TWO AGENCIES BID FOR 'ATTY.' NICHE

Bids for the Thursday 8-10 p.m. spot on the NBC-red have been put in with the network by Lennen & Mitchell in behalf of the Don Ameche-Old Gold show and by Young & Rubicam in behalf of the Paul Mall show which the latter agency has been ordered to prepare for the summer. The period is now occupied by "Mr. District Attorney" (Bristol-Myers) and this program shifts to the 9:30-10 p.m. slot on the same network at the end of next month.

Bristol-Myers has until the end of this month to advise NBC what it wants to do about the 8-10 p.m. period, and it has so far refused to commit itself either way. Old Gold is on the red at 10 o'clock Friday night.

Margaret Sangster's Days Being in Benton-Bowles

Margaret Sangster has signed an exclusive daytime scripting deal with Benton & Bowles and is now writing the "Ellen Randolph" seven-week serial for Superstars. Show was formerly scripted by Vera Oldham. Under her contract with B. & B. Miss Sangster had to give up authorship of "Arnold Grimsen's Daughter," Markham-Semple-Hummert serial out of Chicago for General Mills (Radioville) Serial. However, she can still do scripts for evening programs.

Her interludes with the airing of the Benny program. The same status will prevail in Detroit and St. Louis when Benny goes on vacation next month and "The Aldrich Family" replaces him.

The Dallas News is slated to become a partner of the Fort Worth Star-Telegram in the 570 k. c. regional channel, which is now exclusively occupied in Texas by KJRD, an Amos G. Carter operation. It will make the second wavelength and transmitter sharing arrangement between the two newspapers. The other involves the 590 k. c. river channel, which is shared by WBAP, Fort Worth, and WFAA, Dallas.

As the result of the deal now in process the Dallas News would for the first time have two local stations and full time representation on the air. Its letters have as yet been cited by the Dallas News for its second station.

WFAA and WBAP are affiliates of the NBC-red, while KJRD is the Fort Worth release for the NBC blue network.

Writers Lee and Danney See to Break Contract With Walter Rosemont

Manfred B. Lee and Frederic Danney, radio script writers, filed suit Friday (14) in the N.Y. supreme court against Walter L. Rosemont, agent, seeking to break a contract whereby the defendant was employed as their agent, and for the return of \$700 in commissions. The contract was entered into June 8, 1936, and granted Rosemont 10% of the net received from CBS for the broadcasting of "The Adventures of Elmer Fudd."

It is claimed by the plaintiffs that they entered the contract because it had been represented to them that Rosemont was negotiating for their services as writers at CBS. It is claimed that this was not true, and that the contract would not have been signed had they known the representation could not be lived up to.

Monday (15) Rosemont filed a general denial, in defense and a counterclaim of \$2,000 against the plaintiffs, asserting his commissions have not been paid since March 28.

Jay Franklin Cues WHK Program Change

Cleveland, May 14. Instituting a new policy which will cut nationally famous men the "Wide Up America" program heard over WHK will bring Jay Franklin, contending columnist, here for its broadcast of May 21. The program, scripting a mid-hour evening spot weekly is sponsored by the American Economic Foundation of Cleveland.

Subject of the Franklin broadcast will be "Should There Be More Government Control of Business?" Nature of program is to first discuss subject and then answer inquiries from listeners who phone query direct to broadcast.

Franklin and industry move to WKBS, Youngstown, to repeat show following night.

Marmola Is Back

Marmola is returning to the air on the spot announcement made with Star Broadcasting, Inc., doing the playing in Street & Fanny at 10:30.

The campaign will be nationwide and it will be at the rate of \$25-a-week for 52 weeks.

Charles Mackay, CBS Film Director and Josephine Baker, EMME, were central in Alfred Pathé Company (Mackay), and reliable CBS's "Charlie Mackay" program from this spot.

AFRA SCALE HUDDLES START NEXT WEEK; TOUGH ON INDIE SPECULATIVE CUTTERS

Advertising Agencies Will Sit In on Talks—Favor 'Custom Built' Transcriptions—Hollywood Companies Alarmed

Negotiations for a code for transcriptions will probably begin next week between the American Federation of Radio Artists and the various transcription makers. Letter will include Columbia, MRC, Mutual, World, Associated and others, with the advertising agencies sitting in as active observers. Intention from both union and transcription sources that an agreement will likely be reached quickly.

AFRA's transcription code committee has been trying to work out a satisfactory proposed schedule of fees and regulations for about a year, but has been stymied for some months on differences between the eastern and Coast viewpoints. Bulk of the business in the east is in what's known as 'custom-built' discs, while most of the activity on the Coast is in so-called 'open-end' platters. Former are those with the commercial announcements included in the record, while the latter have a blank portion to permit any sponsor to insert his own commercial.

Union is inclined to favor the custom-built discs, as they cannot be sold, transferred or swapped among various sponsors, thus making repeat use of performer services. However, most of the transcription business on the Coast is done by independent producers who make the platters on speculation and sell them to various sponsors on spot basis. Charging a flat rate of pay based on the number of stations or sponsors would obviously place a prohibitive handicap on such independent producers, so an alternative plan was sought by the Coast membership of AFRA. Union claims to have worked out a satisfactory formula, but declines to reveal it for the present.

Under the proposed scale of fees for custom-built discs (printed in an adjoining column) it is claimed in some quarters that AFRA will be putting a tough burden on the smaller independent transcription makers, who have to cut corners and resort to all manner of ingenious expedients to keep down expense. Union insists appear to realize this, but are unconcerned. Their attitude is that the smaller outfits are usually the ones who use doubtful labor practices and cheat in various ways. Big producers are easier to regulate and deal with in every way, it's stated.

In general, the rates for custom-built recordings are about equal to the regular scale for live commercial broadcasts, although there are various additional considerations and rules. Although the formula for open-end discs isn't revealed, it is believed to be fairly flexible and to set rates considerably under those for the custom-built platters.

General conditions are covered in the proposed AFRA code by the following clauses:

1. AFRA is to exercise bargaining agent for all performers.
2. AFRA shop conditions to prevail.
3. Signatories agree not, for purposes of avoiding performance or responsibility under code, to (a) transfer responsibility to another person, (b) transfer place of origin of production, (c) license or permit others to use disc except under terms of the code.
4. Contract to be for one year.
5. Arbitration of all disputes under the code.
6. AFRA reserves the right to regulate any subsequent 'new' or 'improved' methods of recording.
7. On custom-built recordings must be paid full scale for each additional sponsor to whom platter is sold or for each alteration of commercial announcements.
8. One-half regular rate for studio time for transcriptions, plus full rehearsal pay, with one hour rehearsal required.
9. Performers must have specific notice of part to be played, date, time, place of recording, number and length of programs to be recorded and total time required for rehearsal and recording.
10. Performers may double one part in programs of more than five minutes.
11. Net amount of pay may not

UNION MUSIC BACK

But WPEC, Philadelphia, Cuts Annual Commitment to Staff

Philadelphia, May 14. The five-month-old dispute between Local 11, American Federation of Musicians, and WPEC was settled on Friday (14) with the rehiring of the 12-man orchestra dropped by the station last Jan. 12. The musicians went back to work yesterday and the union called off its gibber.

The settlement came after months of fruitless negotiations and was in the form of a compromise. The union won its point that the strike be rehired. The station was given the right to reduce the number of men to eight after Sept. 15. From that date until Sept. 15, 1941, WPEC will spend only \$10,000 a year for music, compared with the \$11,000 previously set aside for its band budget.

In addition the station won the right to use its orchestra for either entertaining or commercial shows without any extra payments. This summer the musicians will be given a week off without pay, while the station will have the right to give them a month's payover through next summer. The musicians will get no back pay.

The accord, signed by Frank P. Lyons, Local 11's secretary, and Arthur Simon, general manager of WPEC, ended the longest strike (the union called it a lockout) at any local radio station.

Fuzz-Into-Hair Claims Draw FTC Scorn

Washington, May 14. Hair and scalp remedies put out by Post Institute, Inc., of New York, received a withering slap Sunday (12) by the Federal Trade Commission which warned against a continuation of radio broadcasts and other advertising touting the product. Radio-broadcasters who have been buying such preparations as 'Ultra Hair Bath,' 'Ultra-Pilatory Fluid' and 'Ultra 22' were warned that there is nothing in the preparations that will 'cause hair' or other miracle cures promised in the radio tellytoms.

High-sounding representations that 'formation of keratinized epithelial cells' will be prevented by the scalp lotions, or that 'Post Institute isolates from whole gland pilosity body a special extract' which encourages vigorous hair-growth should be disregarded, Commission declared. Furthermore, the 'Institute' is not a scientific organization and the seal borne by their products is not proof that they have been tested, certified or approved by some scientific organization or some State, city or federal board of health.

FOR THE SPONSOR

Anna 'N' Andy Break a Radio Record L.A.M. Employees

Philadelphia, May 14. For the first time in their 12 years air experience Anna 'N' Andy did a virtual broadcast last Wednesday (13). Long advocates of hurrying the public from the station to keep the illusion the veteran duo did their stuff before 8,000 employees of Campbell Soup, the sponsor.

The crowd was gathered in the massive Convention Hall at Camden, N. J., as a special event provided by the Campbell management. Leroy Ross, also sponsored by Campbell's, followed Anna 'N' Andy, with a 15-minute turn. Both programs were aired over the CBS network via WCAU.



WILLIAM A. RIPLE

Commercial Manager of WBY, Troy, New York, Riple brings an outstanding record to his new position.

That Riple and his associates are doing a good job is shown by more than sixty accounts signed up since Thursday—most daytime WBY obtained a month ago today.

NBC'S RECOUP MOVE GOING THROUGH

NBC expects to have the matter of rescheduling the 7:30-8 p.m. period (Monday through Saturday) from its red network affiliates cleared up by the end of this week. The approval, it reports, have been coming in at a rate which assures compliance with the request. This will give the red five additional evening half-hours to put on the sales block. The Monday evening period has been filled by Lorillard (19 stations) since last fall.

NBC issued its request on this period on the curvy-backed argument that network commercials in the 8-8:30 period are at a disadvantage in competing with Columbia programs for listeners because it takes a full 20 minutes after the 7:30-8 p.m. clock network break for an audience to be fully warmed over to the red link.

SARAKA (LAXATIVE) ON MRS. 'KEEP FIT' SHOW

Union Pharmaceutical Co. is using four scattered Mutual outlets on a seven and three 8:15 week test stretch in behalf of Saraka, a laxative. Started Mondays through Friday sponsorship of Wallace, a gym instructor, Monday (12) 10:30-11:05 a.m. Program's called 'Keep Fit to Music,' using records as accompaniment.

Sherman K. Ellis agreed, WEAN, Providence, R. I.; WER, Dallas; WSAV, Rochester, and WGN, Chicago, carry.

Lawton Campbell West For E. G. Robinson Talks

Roses (Laver) will have a summer guesthouse in its Tuesday night spot on CBS' 'Big Town' takes a 14-week vacation, effective June 11. Lawton Campbell, head of Rothrauff & Ryan's radio department, leaves today (Wednesday) for Hollywood to complete the plans for next season's 'Big Town' series. Campbell's errand includes a talk with Edward G. Robinson about new terms for the fall.

Bill Robinson, who has gone under contract with Lennen & Mitchell, will remain as producer of 'Big Town' until June 11.

Pearson-Allen Back

William Shaving Cream will shelve 'True or False' status for nine weeks beginning June 24 and substitute the Drew Pearson-Bob Allen combination out of Washington.

It's a Monday night period on the blue, and J. Walter Thompson is the agency.

Proposed AFRA Transcription Scale

(For 'Custom Built' Programs)

ACTORS

Length of program	Fee
1 minute or less	\$3.00
Over 1 minute and up to 2 minutes	7.00
Over 2 minutes and up to 3 minutes	1.00
4 to 15 minutes	15.00
16 to 30 minutes	25.00
31 to 60 minutes	35.00

If a program runs over 60 minutes, the writer shall be paid for at the rate for 15-minute programs.

2. Rehearsal: \$5.00 an hour, one hour of rehearsal required on each call; thereafter rehearsal shall be paid at the rate of \$1.50 for each 15 minutes or part thereof. Individual compensation shall be on the basis of time set forth in the call and the number of programs contracted for, and additional rehearsal time may be requested, and if agreed to, paid for at the regular rehearsal rate.

3. Guaranteed engagement: Where a performer is engaged for a continuous, non-cancelable guaranteed term of not less than 12 weeks for 10 or more spot programs per week in one or more programs, the fee for each such program shall be as follows:

Length of program	Fee
1 minute or less	\$1.00
Over 1 minute and to 2 minutes inclusive	2.50
Over 2 minutes to 5 minutes	4.50

There shall be no reduction in the rehearsal rate, and the reductions shall not be applicable to programs of more than 5 minutes in duration.

SINGERS

Length of program	Fee per person
1 minute or less	\$5.00
2 to 15 minutes	14.00
16 to 30 minutes	24.00
31 to 45 minutes	34.00
46 to 60 minutes	44.00

2. Rehearsal: Orchestra rehearsal \$5.00 per hour, one hour of rehearsal required on each call; after first hour, rehearsal shall be paid for and computed in quarter-hour periods at the rate of \$1.00 per quarter hour or part thereof.

Length of program	Fee per person
1 minute or less	\$5.00
2 to 15 minutes	14.00
16 to 30 minutes	24.00
31 to 45 minutes	34.00
46 to 60 minutes	44.00

2. Rehearsal: Orchestra rehearsal \$5.00 per hour, one hour of rehearsal required on each call; after first hour, rehearsal shall be paid for and computed in quarter-hour periods at the rate of \$1.00 per quarter hour or part thereof. Coaching rehearsal need not be paid for.

Length of program	Fee per person
1 minute or less	\$15.00
2 to 15 minutes	30.00
16 to 30 minutes	45.00
31 to 45 minutes	60.00
46 to 60 minutes	75.00

2. Rehearsal: Orchestra rehearsal \$5.00 per hour, one hour of rehearsal required on each call; after first hour, rehearsal shall be paid for and computed in quarter-hour periods at the rate of \$1.25 per quarter hour or part thereof. Coaching rehearsal need not be paid for.

Length of program	Fee
1 minute or less	\$15.00
2 to 15 minutes	45.00
16 to 30 minutes	55.00
31 to 45 minutes	65.00
46 to 60 minutes	75.00

2. Rehearsal: Orchestra rehearsal \$5.00 per hour, one hour of rehearsal required on each call; after first hour, rehearsal shall be paid for and computed in quarter-hour periods at the rate of \$1.50 per quarter-hour or part thereof. Coaching rehearsal need not be paid for.

First period for all singers. There must be a rest period of five minutes in each one hour of rehearsal, whether coaching or orchestra. Signature release: When a singer is engaged to sing an announced musical number of a nature usually known as a signature or theme, at the beginning or end of a program of any length, he shall be paid not less than the applicable five-minute rate, and need not be paid the full program rate, and fifteen minutes may be deducted from the elapsed time for each such program in computing rehearsal time, which is paid for at the applicable rehearsal rate. (The one hour of required rehearsal for each call must, however, be paid in any case.)

Guaranteed non-cancelable contract: When a singer is engaged to a continuous guaranteed non-cancelable contract for a series of programs to be rehearsed and recorded within a period of not more than thirteen weeks, the following discounts shall apply:

Number of programs	Programs per week	Discount
1 to 12 programs	1 or more	No discount
13 to 24 programs	2 or more	10%
25 to 36 programs	3 or more	15%
37 to 48 programs	4 or more	20%
49 to 60 programs	5 or more	25%

Library service for singers: Rates for library recordings shall be not less than double the applicable five-minute rate for each number recorded, and fifteen minutes may be deducted from the elapsed time for each number in computing rehearsal time. If the duration of a number should exceed five minutes, an extra full library fee must be paid for each additional five minutes or part thereof. The one hour of rehearsal required for each call must be paid in any case. Library service recordings may in no case be used for any purpose after one year from the date of recording, and shall at no time be used directly or indirectly for commercial purposes. There shall be no library service for actors.

Crown Cola Sponsors 'Shadow' in Some Spots

Crown Cola has bought rights to transcribed versions of last season's 'The Shadow' series and will place it over spot stations throughout territories not covered by Blue Coal's original live show. H. B. D. & Co. is the agency.

N.A.B. URGES MORE BMI USE

Ed Kirby, director of public relations for the National Association of Broadcasters, called a meeting of the network for late yesterday afternoon (Tuesday) to ask them to make increased use of tunes put out by Broadcast Music, Inc.

It was the first drive of this sort to be put on by the N.A.B. since the inception of BMI.

UNCLE SAM NEEDS CODE

John Shepard on Notice from NBC His WNAC Will Lose Red Loop

John Shepard III has been temporarily notified by NBC that it proposes to assign the red network release for Boston to WNAC at the expiration of Shepard's contract unless Shepard is agreeable to an earlier date. This contract expires June 1942. WNAC, one of the Shepard outlets, is the present Boston release for the NBC-red program. NBC is waiting to see what Shepard is able to work out with Columbia.

In actuality Shepard is under a year's notice from NBC. If WNAC remains as an affiliate it will be as the release for the blue network. The shift of WNAC from the blue is linked up with the stated resignation of KDKA, another Westinghouse 50-kilowatt, to the red network. WCAE, the red's present release in Pittsburgh, ran under its contract maintaining the present status until October, 1941. Next Radio, which owns WCAE, has been talking about a two-station shift, WRAL, Durham, as well as WCAE, with Columbia, but it is reported that this will likely be stymied by the fact that CBS now has a 50-kilowatt on either side, namely, WCAU and WJTV. WRAL had been tagged by NBC for a shift from the blue to the red network.

Columbia's leasing deal on WJTV, Boston, has three years to go. It's \$25,000 a year for the wavelength plus studio-office space.

'Not Listening' Disavowed By Mrs. Milligan

Editor, Variety:

I will very much appreciate your cooperation in correcting a misapprehension which exists regarding the success of the 'Not-Listening' campaign.

The movement originated with the New Rochelle Women's Club and was initially endorsed by the Westchester Federation of Women's Clubs. However, the Westchester Federation is not affiliated with the General Federation of Women's Clubs and its program should not be confused with that of the General Federation, which is a national organization consisting of 15,000 clubs.

It is the privilege of the Westchester Federation to adopt any program it wishes, of course, but I should like to make it clear that the General Federation has had no official connection whatever with the 'Not-Listening' campaign, and has, in my knowledge, no intention of sponsoring such a movement.

Mrs. Harold V. Milligan,
Chairman of Radio.

WEHR Man Radio Head Of Baldwin & Strachan

Buffalo, May 14.—John F. Higgins left WEHR (radio) Saturday 141 to become radio director of Baldwin & Strachan advertising agency. It's a new post, agency having decided to emphasize radio angle.

Higgins came to WEHR two years ago.

Jordan in From Berlin

Max Jordan, NBC's representative in Berlin, arrived in New York City Monday on the Manhattan. He was away about a year ago, then from his famous Munich camp.

Will make a short visit at Radio City and return to Europe on Clipper in near future.

Radio the Incredible

San Diego, May 14.

New gas leaked up by Sid Fuller and Dave Tison of KOS actually seems to sell radios. Plugging Stromberg-Carlson for a furniture account, team brought every announcer that broadcast was only for S-C listeners, so no other radio would bring out the full range of the music. Program musically dramatized life of composer.

Audience was invited to phone the furniture firm and have a Stromberg placed along-side their own set during following week's broadcast. What started everybody was phone call from prospect during the first broadcast. Set was promptly delivered and customer paid cash. Everybody walking around in dream.

RADIO CHARTS TO BE UNIFORM

Washington, May 14.—Progress toward uniformity that will provide more informative statistics about industry operations and simplify compliance with Federal Communications Commission demands for voluminous data about paid service was made last week when the National Assoc. of Broadcasters was the regulatory approval of their program log form worked up in conjunction with members of the Comm. staff.

The FCC said Wednesday (14) that the form is "in keeping with the program log requirements under Sec. 1.601(a) of the Commission's rules and regulations." Under the rules, every station must show the time of each station identification announcement, the type of program, music, drama, speech, transcribed, etc. and who paid the bill, if sponsored.

Trade body sponsoring committee did not attempt to frame a standard form, but asked the big radio trade group to work out the recommended type with some minor changes would be helpful in helping and in maintaining "proof of performance" records.

Advantage will come next winter when the Commission ends its usual questionnaire calling for station statements of the time devoted to different types of programs and other operating facts. Extraction of the figures would be speeded if the N. A. B. form has been used, according to report.

COMMUNISTS GRANTED TIME BY NETWORKS

Communist Party has been granted time by all three major networks in air portions of its presidential nominating campaign. In making the request, for time in pointed out the frequent quota given to anti-communism. Rep. Martin Dies, and stated it has never been given rebuttal time. CP will also raise \$25,000 to be spent on the network for its presidential campaign.

Mutual and NBC have each allotted from 1:30 to 2 p.m. Sunday, June 2, for the playing in nomination by William Z. Foster, national chairman of Earl Browder for vice and Julius W. Ford for vice. CBS has set aside from 8 to 8:15 that evening for an interview by Albert Weisner, its Washington correspondent, of candidate Browder.

Convention will be held in Madison Square Garden, N. Y. Communist, incidentally, claim a record for rental of the spot. It will be the party's 10th meeting there since the present location opened in 1925.

RADIO RELATIONS NOT CLARIFIED

Momentarily Government Agency Programs Are Under a Cloud But Not Likely to Last—Standards Now Missing in Catch-as-Catch-Can Situation

WHAT'S PROPAGANDA?

By ROBERT J. LANDRY

Washington, May 14.

A temporary cloud is shading out the sunshine of radio from the little, but busy, world of the Government-agency-looking-for-publicity. Under a prevailing congressional tendency to slash "information" funds the various agencies, offices, commissions and departments which do so broadcasting will be relatively inactive for a time (agriculture and interior less so than the rest apparently), but it does not seem likely any of them will abandon their radio ambitions. On the contrary the full will probably serve as a period of reevaluation and reorganization.

Non-Washingtonians gain the impression that the whole subject of the future of Federal Government agencies on the air needs objective examination. More than that the relationship seems to cry out for a code of fair practice in which would be answered such questions as these:

1. What amount of time can reasonably be asked by Government agencies in the aggregate, of the private radio industry, in the emergency?

2. Should time requests and program activities by Government agencies be controlled or channeled through some one branch of the executive arm to obviate the present exclusive rivalry of different departments and agencies for radio breaks?

3. What is the line of propriety beyond which public enlightenment through radio programs becomes biased propaganda in favor of pending legislation or appropriations (or a controversial point of view or for individual reputation)?

4. How can private stations be protected from political pressure for excessive amounts of obscure commercial time and for drop programs prepared in the full style of government documents and guaranteed to drive away the station's audience?

5. If a private interest or a political party wishes that the Government is subject to direct or indirect attack on a government agency program and a demand for rebuttal privileges is made, who's responsible? And how can fair play, the basis of democratic operation of radio, be secured?

6. Should government employees or private broadcasters have the ultimate decision of matters of test, controversy, timing and casting and how should this be made in work in the public interest?

Poker Face Still

In the paid gambler's policy face relationship between commercial radio and government agencies has been of course a perfectly natural result of practical angle-seeking, advantage-seeking pressure from both directions. That's the way it is in Washington and particularly in the radio precincts of Washington. Unfortunately the tag-line that came up in how-much-can-we-get versus how-little-can-we-give obscures certain fundamental and social values that must be overlooked, and commercial radio presumably should not.

If in the broader field of relationships with the citizenry radio networks and radio stations recognize the organized pressure groups and take steps to incorporate not only their points of view but their actual

Radio Launching Counter-Movement To Offset 'More Regulation' Drift

FBI Checking Up

San Diego, May 14.

The Federal Bureau of Investigation started KFPS staff last week. G-men moved in, showed credentials and demanded "What's this about a Jimmy G-Man program?" Alarmed staffer brought out diary and ran them off. G-men listened poker-faced, then said, "That's O. K., not bad. We just heard about the serial and wanted to know what it was."

Local FBI office has recently been augmented due to possible spy activities at naval base here.

J. DAVID STERN SEEKING WHAT

J. David Stern, publisher of the Philadelphia Record, has made application with the Federal Communications Commission for permission to purchase WHAT; in that city. If the deal is approved it will make the Record the only newspaper in that city with a radio station license.

WHAT, which shares time with WCAM, Camden, was once owned by the Evening Ledger. About two years ago it was purchased by the Hearst-Teller group.

Spoken as part of the radio program structure the same network and stations cannot be surprised (and, of course, are not) that Government agencies expect for themselves comparable privileges to those accorded to pressure groups. The question, it appears, is not one of should it be, but how should it be accomplished.

Blind Prejudice

Blind prejudice against Government programs as such does not even exist. Government programs are perfectly plausible and indeed may be a desirable extension of democratic procedure, providing, of course, they are (1) sincere in motivation and (2) fair and decent in presentation and level and (3) then permission is just that, and nothing more, in seeking station outlets for such programs.

Questionable procedures by individual Government agencies and an over-demanding radio medium in behalf of all Government publicity workers chiefly indicate that the time has arrived to speedily—the question seemingly is what—away the problem and arrive at some standards of inspiration. Commercial radio would be naive indeed if it expects Government agencies to exercise radio opportunities. We offer the run-around of recent years. And not overlooking the possible agitation that would follow the Government stations.

Unfortunately everybody concerned with the Government program is apt to think of the other guy as a sharpshooter, a hawk, a power or something else equally unfavorable to the program. That's part of the radio kindergarten period. Both sides are getting, and will be, cooler.

Viewed objectively it would seem impossible to deny, at least, the right of the people's Government to use the people's air in commensurate independence to them. Not under a private system of operation, the station must retain its function of discrimination. Bureau propaganda not properly labeled as such is as undesirable in a democracy as would be fraudulent advertising, liquor, superstitions, hysteria, snoot, false alarm.

Substitute legitimate state ownership for party and personal politics, and there's nothing wrong with Government agency programs in principle, and in small doses.

Washington, May 14.—Campaign to rally the public against radio, in preparation for possible fight with reform groups and to start a back-draw against the steadily spreading idea that the industry should be regulated more stringently, has been suggested out by National Assn. of Broadcasters. Accepting an invitation from the New York World's Fair, the trade group is planning to add to the significance of Independence Day (July 4) by staging a celebration in emphasis of the value of free speech, free press, free religion and free assembly.

Although the event will be non-partisan, preliminary discussion indicates the program will be a veiled protest against philosophies that threaten to undermine private initiative and may bring severe government control. Just as the Republican party the past couple of years has cooked up "Constitution Day" in order to what opposition to the New Deal.

To offset any possible partisan tinge, the trade group will invite President Roosevelt to take part in the program, although he is likely to be at a remote spot on his contemplated trip to the Pacific Coast and Alaska. Other big names with no listed, white H. A. B. is trying to tie in with patriotic events throughout the country. Affairs will give an excuse to plot the Association's "Listen before you vote" slogan, which has been carried by both Republican and Democratic leaders, although chief emphasis will be placed on the idea of equality of opportunity to be heard via the radio. With Europe in flames, it is reported the celebration will attract widespread support because of the chance to drive home the privileges and benefits of the democratic system.

Philly to Be Westinghouse Group Centre

Pittsburgh, May 14.—Headquarters of Westinghouse radio stations won't be in Pittsburgh, as expected, but in Philadelphia after July 1. Walter C. Egan, vice-president of the company's air group, explained. New KYW building in Philly will be used. Move to Philadelphia will have undisturbed the radio manufacturing unit in Baltimore, which Egan also directs.

So far no general manager for Westinghouse group, which comprises KDKA here, KYW in Philadelphia, WOWU-WGL in Fort Wayne and WWS-WLLA in Boston and Springfield, has been named, although an announcement is expected within the week.

Camel Baseball With Lucky Strike Pauses On Hour Just Too Much

WMA's New York pickup of the New York Giants' night ball game, sponsored by Camel cigarettes, was almost stalled before the first out completed by the fact that WMA is one of the local outlets carrying the Lucky Strike two-minute line and using platters. Night games naturally run more than an hour, which meant that the broadcast, sponsored by Camels, would be looking at the hour by the platters for Lucky Strike.

Problem was solved, however, after some deliberation, by the agency for Lucky Strike agreeing to WMA's dropping the requested sponsorship while the ball games were being aired. First of seven games is scheduled for this Saturday (18).

BACK OF EVERY GREAT PICTURE



Charles Chaplin
in Production #6



Samuel Goldwyn
The Westerner



Walter Wanger
Foreign Correspondent
The Long Voyage Home



Edward Small
The Corsican Brothers



Sol Lesser
An Untitled Production



Ernst Lubitsch
An Untitled Production
presented by Sol Lesser



Hal Roach
Road Show • Topper Returns • Broadway Limited
Niagara Falls • The Unholy Horde

UNITED ARTI

URE IS A GREAT PRODUCER...



Alexander Korda

The Thief of Bagdad
Womanhunt • Lady in The Dark



David O. Selznick

2 Untitled Productions



David L. Loew and Albert Lewin

Flotsam • Night Music



James Roosevelt

Pot O'Gold



Richard Rowland

Cheers for Miss Bishop



Gabriel Pascal

George Bernard Shaw's
Major Barbara

RCA Suspects DuMont (Par); Sarnoff Piques CBS to Retort In General Battle of Briefs

Washington, May 11.

Continued discussion within the industry over television — with roughly three factions unable to reach any common ground — leaves the Federal Communications Commission in as difficult a predicament as it was before the policy hearing was reopened last month. Final briefs of the principal parties, submitted by name-calling rather than discussion of issues, meant any decision about standards or commercialization will displease somebody.

Although to line up the chief participants is complicated because they shift back and forth on the various issues, generally, however, RCA is on one side, backed by Don Lee; DuMont is on the opposite, and everybody else is somewhere between. The positions taken in the briefs, generally, are as follows:

RCA—Chooses full commercialization quickly. Does not seem to care whether the FCC sets operating standards or not, except that if any are promulgated they should specify 30 frames with the RCA synchronizing pulse and from 441 to 457 lines.

Philco—Wants standards set by the government, not left up to the industry. Thinks further study and experimentation is necessary before standards are fixed. Commercialization should be postponed until standards have been set.

DuMont—Wants flexible standards providing from 15 to 30 frames and 441 to 457 lines, with full commercialization by Sept. 1 and additional licenses for transmitters.

CBS—Fears delay in setting standards might become a point of contention.

Length of time taken to settle the controversy over policy provoked some criticism from Senator Ernest Lundeen, the Minnesota Farmer-Laborite, who joined an Interstate Commerce Committee hearing at which both the FCC and RCA were targets. Sarnoff was based on contention that indecision is preventing progress, which would provide thousands of jobs.

Lots of Digs

Features of the closing briefs were the digs by RCA, CBS and DuMont, with Philco slanting sharply only the technical and policy questions raised at the two sets of hearings. Charge that Paramount Pictures is using DuMont to hit off television was made by the RCA attorney. Columbia seemed rebutted "unfair" comments by David Sarnoff, revealed when the Commission sub-

Noise Abatement

Washington, May 11.

Be-considerate-is-a-neighbor's reminders for the radio audience were suggested to station operators last week by the National Assoc. of Broadcasters now that the open-window season is at hand.

Smalling complaints last year about late night blaring that upset neighbors, the trade group said, is occasional word of cases about tuning down into the middle of the evening might build good will all the way around.

presented minutes of the Radio Manufacturers Association; DuMont repeated that RCA is impatient to see commercialization because of its investment in sets and foreign commitments.

In the longest and most formal brief, the RCA multiplexers initiated the cumulative evidence about television is set to go, with no danger of monopoly. They insisted the industry giant does not want to freeze the art, using promises to build versatile receivers, and desired removal of restrictions will be a big impetus to development. Television channel No. 1 should not be turned over to frequency modulation, RCA argued, because visual service will be a bigger loss to the public. The brief also pushed the idea that the patent situation should cause the Commission to go slowly.

Arguing for its own system, RCA was confident that 30 frames and from 441 to 457 lines are superior in any other type of television. Broadcasters cannot be edited as strictly, while the danger of flicker and noise in 15-frame transmission is so great the public may turn thumbs down on the service, besides suffering eye trouble. Any advantage gained in the way of additional lines through using lower frames would be more than nullified by poor quality reproduction, the Commission was told.

Attempt to fan the fire of suspicion about DuMont's relations with Paramount was the highlight of the RCA brief. Connection was cited as possible reason for DuMont's enthusiasm for the 15-frame technique.

The motion picture interests which are financing DuMont Laboratories have a much greater financial stake in the film industry than they have in television, the RCA legal crew asserted. Their recent interest in television is primarily for the pur-

pose of "protecting" their larger interest in the film and theatre industry and not to develop the new art of television. Therefore they desire the adoption of systems and methods that would make television inferior rather than superior to motion pictures.

DuMont Comments

Counter-attacks by DuMont were based on RCA's efforts to push the sale of receivers. Citing statements of other company witnesses about dangers of freezing the art, DuMont contended that commercialization will result in denying principal energy in production competition and in research, unless the Commission promulgates the flexible standards which were ridiculed by RCA. The attorney's spokesman declared that RCA's version of price reductions, high-pressure salesmanship, and abrupt warning to lawyers that RCA standards will be adopted unquestionably curbed research.

Urging the Government to set the standards, DuMont said flexibility in receivers must be assured before general commercial use occurs and that the degree of flexibility necessary for satisfactory reception cannot be obtained through the RCA-RMA plan. RCA wants to go ahead on a 15-frame basis, the brief suggested is because of the contract with Rausch to purchase sets. DuMont also was told it is not a coincidence that several other European nations have adopted 30 frames and 441 lines as standard.

Answers Sarnoff

Columbia's last word was a reply to Sarnoff's statements at a confidential RMA meeting. Commenting on the patent fight in progress, the web developer in brief almost entirely to a discussion of the accusations which previously had not been answered. There is no basis for the charge that CBS is against television and, if it comes, wants to make a quick profit, the Commission was told. Brief pointed out that CBS spent more than anybody not involved in manufacturing or holding patents—over \$1,250,000 since 1938 and more than \$300,000 during 1947 for experimental operations—and believes that the earliest time when operators can begin to break even is seven years. The web denied it ever set a date to launch regular service, but admitted it postponed operation this spring because of fear a second program would "overwhelm" the RCA standards at a time they were being questioned and challenged. Prime reason for delay were technical difficulties, wait for new apparatus, and uncertainty about channel assignments, the brief said.

The Philco brief voiced again fear that immediate commercialization and unrestricted sale of receivers will freeze the art. Second point was that RCA standards either are inferior to others or could be bettered. Siding with RCA on one point, Philco favored flexible standards undesirable, declaring flexibility must be obtained in the receiver, if at all, but objecting to this idea because of the cost and inconvenience to the public. The best course is to wait longer

Duel Outbreak

Havens, May 11.

Recently Herman Pucelli, writing gossip in *Advertiser* daily, had an item about Ricardo Montalva which he didn't like, as his attitude arranged the duel, which was fought on a farm near Havens at dawn. After the duel, it was found out that the swords landed the points with blank cartridges.

A week after that Cyrus Varnas, gossip and editor of the radio weekly *Cadet*, printed something about a jural challenge between Alberto, who and his friends and the duel was arranged. Cyrus Varnas was willing to go through with the duel, then changed his mind and on the eve of the duel went to station CHBO, and while Alberto was broadcasting, charged into the studio and began a fist fight, that partly came out on the air, as the operator abandoned the controls to take part in the free-for-all. After 10 minutes of exchange of blows, the combatants left in a car for a place near the Hotel El Comodoro, where again fought with their fists, and that was the end of the duels.

stayed on the job, ordered the attorneys to get their briefs in by the following Monday morning, and have a decision out of the Commission that very day.

Goldsmith's Opinion

Alfred R. Goldsmith, engineer consultant to Radio Corp. of America and long active in Society of Motion Picture Engineers, sees television as practical for use in U. S. theaters. "Theater-size television is ready today," he holds. It is limited only by the quality of the television program material. Sight-sound broadcasting currently is more a matter of program development than improvement in television technology. RCA has produced 8-by-11-foot screen images successfully in tests at its Camden, N. J., plant, according to Goldsmith. He also pointed to the results achieved with television by a 4½-by-4-foot screen in New York last week.

Rathbone's Red Strapping

Paul Rathbone, treasurer of Alfred B. DuMont Television Co., and noted as an executive of Paramount, replied to the RCA brief filed with the FCC by charging that an attempt is being made to drag a red herring across the trail of a technical discussion.

Revive 'Betty and Bob' As Possible Disc Show For Beer Sponsorship

"Betty and Bob," General Mills' daytime serial which recently went off after eight years on the air, is being revived as a recorded show by NBC and the C. D. Morris office. It's a speculative proposition, with NBC and Morris sharing expenses and possible profits, and General Mills to get a royalty.

Series of 26 weekly installments will be waxed, with a minimum of 12 weeks available to local sponsors throughout the country, although not for products competing with General Mills. NBC will produce it. Morris is in charge of production, with Leonard Bernstein resuming writing and direction, and virtually the same cast, including Arlene Francis, Carl Frank, Leona Powers, Agnes Moorehead, Mary Mason, Elsiebeth Eric, Ruth Maitland and Myron McCormick. Milton Cross takes over the announcing.

Angle on the selling is that a presentation round has been made to "introduce" the series to agencies and sponsors. One 15-minute side session as opening spot by Cross, with Arlene Francis then taking over to introduce the various members of the cast in ad lib "interviews" about their professional records, personalities and brief comment on their parts in the show.

Revolving line will be offering the show to bottled beer and cigar accounts, neither of which have previously bankrolled daytime serials. Idea is that bottled beer is usually consumed in the home and is therefore purchased by the housewife rather than her husband. Women are also figured likely customers for cigars.

TOM SLATER TO M. C. WOR FLATTER SPIN

WIDE, Newark, has gone for the make-believe ballroom idea. It's going to put on a half-hour of phonograph recordings in the morning, with each day's batch devoted to a single name band and with Tom Slater as M.C. The platter series, which starts May 22, will not be available for commercial sale.

It will be tagged "Midnight in the Morning."

Vote 2nd CBS 45c

Columbia Broadcasting System 2-centers last week declared cash dividends of 45c, on Class A and B shares. Dividend is payable June 1 in check or record May 20.

This is the second 45c dividend distributed by CBS this year.

GH Baldwin Promoted

Reassignment of duties in the staff of the Columbia agency radio department sends Gilbert Baldwin to become manager of all network shows and puts Hal James in charge of local programs. Max were each formerly in charge of separate divisions.

Barry Hays has been added to the agency's radio staff. All three are under John E. McMillan, radio division.



In the manner of little Jack Horner, WEEI goes straight as a plumb line to the juiciest market in New England. And what a good buy is WEEI!

WEEI advertisers pay for blanket coverage of Greater Boston—the nation's fifth retail market. WEEI delivers Greater Boston (lock, stock and barrel) PLUS 27 "outside" counties equally wealthy, equally populous.

In these two halves of the real Boston market live 18% of all New England... 5,000,000 people who spend a billion and a half dollars each year at retail.

Only WEEI reaches them all. And only WEEI brings them local programs of Columbia caliber, backlogged by the full CBS schedule. That's why WEEI is "Columbia's Friendly Voice" to a bigger and richer market than is regularly delivered by any other Boston station.

WEEI BOSTON • CBS • 590 K.C.

Operated by Columbia Broadcasting System. Represented nationally by Radio Sales: New York • Chicago • Detroit • St. Louis • Charlotte, N.C. • Los Angeles • San Francisco

TELEVISH A POLITICAL ISSUE

'PROGRESS' IS G. O. P. ANGLE

John Hamilton Makes Propaganda Use of Television Tieup at Philadelphia Republican Convention—Seeks to Identify Party With Sympathy for Business Expansion

DEMOCRATS HIT

Washington, May 14.—The Republican National Committee has contracted with RCA-NBC for the latter's television mobile unit to cover the Philadelphia convention June 24. At the same time the GOP is attempting to make capital of the fact that the Democrats, through the Federal Communications Commission, allegedly handicapped the commercial development of television in withholding RCA after the latter, through paid space, set out to sell television air.

Commenting on the FCC's ruling which to the television industry, John Hamilton glared at follow.

"The Republican party is the party of private enterprise and welcomes this chance to provide an opportunity for a new industry to stride forward to honest American business. It was but a few days ago that the New Deal, through its dominated Federal Communications Commission, struck viciously at this very industry by bluntly commanding it to cease its efforts at merchandising."

"We of the Republican party hope that the public interest in television by reason of its use at the 1940 Republican convention will cause this effort the setback given this new industry by the New Deal."

Republicans will utilize one of the most-touted Philadelphia—New York coastal cable, which has figured prominently in plans for the debut of video transmission. The cable will be used for the relay from Philly to Manhattan, though only a single television program can be handled by the Bell Telephone-A. T. & T. invention at present.

Democrats as 'Able Men'

Maneuver in which the Republicans snuffed first honors in bringing television into the political arena leaves the Democrats at a disadvantage. Some chance that they may rally-raise with Zanich, during the Democratic convention at Chicago, starting July 15, however, Zanich has the only Chicago television station (BCA method).

Republicans, however, may not find that everything is smooth-sailing. In looking at the Commission for its stand on the RCA advertising campaign, the Republican National Committee must remember that Philco—whose facilities it will be using—has been lifting with RCA and claiming that the time is not yet ripe for standardization and commercialization of television. Proponents have been crying A. T. & T. with suspicion, not of fear that the vast phone company will get a death-grip on television through inauguration of its coaxial cable system.

Disregarding political pitfalls which inevitably loom for both major parties if they start monkeying with the new art of convention time, the promise has been given that coverage of the Republican convention will be the "most elaborate ever given anywhere in the world in a single event." Alfred H. Martin, NBC vice-president in charge of television, will send his two mobile units from New York to Philadelphia for a blow-by-blow picture account of happenings at the GOP crash.

New apparatus will be used by NBC in televising the convention hall floor and in conducting interviews from a specially equipped

studio just off the stage. Philco—with its experimental transmission located in Philly—also is looking forward with anticipation to recording the Republican stand, according to William Grinditch, e. g. in charge of engineering, and is happy to be identified with another pioneering step forward in the art of television.

Some 20 engineers, announcers and program producers will be assigned to the job by NBC, according to the Republican National Committee, while Philco will assign approximately 15.

Stanback Co. (headquartered in New York) has been selected to handle the series of one minute transmissions for placement on TV stations. J. Caron Brantley, of Salisbury, N. C., is the agency.

Mothers Classified

New Orleans, May 14.—To go with a talk on motherhood, Henry Dupre, WWL, announcer, presented on Mother's Day, New Orleans' youngest mother, eldest mother, and the mother with the best production record.

He gave them each a bouquet.

New, WCAU, John WGN

Philadelphia, May 14.

Allan Scott, gather and newsmaster for WCAU for the past ten years, will leave this week to join the staff of WGN, Chicago.

To handle a new type quiz show for General Foods.

• Radio Daffodils •

Tate Times.—Minneapolis-St. Paul rivalry expressed itself in an odd way recently when the Bob Hope program was interrupted by KSTP to give St. Paul primary election results, whereas Minneapolis citizens complained about "disturbing important programs with unimportant news."

Texas.—Jerry Graham, sports writer, training for the baseball season, carries jar of olive oil which he will use in his great agent's explains he barges to make his vocal chords flexible, resilient and well conditioned.

Texas, Ill.—Mustache growing contest at WGL, which ended April 20, was won by Robert Bish, staff pianist. The contest was to see which staff member could take a mustache in a month's time, and closely resembling that of Clair Hall, WGL manager. Three Texas merchants were the judges.

In the Heart of



INDIANAPOLIS

The habit of listening to WLW is deep in the heart of Indianapolis... instilled through years of friendly service. Enthusiasm for the Nation's Station and its personalities was recently demonstrated when 57,473 attended the WLW Boone County Jamboree during its 8-day run at the Lyric Theatre.

Indianapolis merchants, aware of WLW's influence in their city, know the advantage of selling products advertised on the Nation's Station.

INDIANAPOLIS, INDIANA

Population, 1930 264,161

Retail Sales, 1930 \$104,878,000*

Wholesale Sales, 1930 \$200,878,000*

% of Nation Buying Power 1.801%
(Ranking 4th)

Total Homes
(Marion County) 115,570

*Estimated by Data Management

NAT'L REP. • TRANSAMERICAN BROADCASTING & TELEVISION CORP. • NEW YORK • CHICAGO

WLW

THE NATION'S

most "Merchandise-Able"

STATION

KSD, on Wave Since '23, Now Full Time

FCC in Sweeping Revision of St. Louis Stations Makes Everybody Happy

St. Louis, May 14

Everybody in St. Louis radio is particularly happy. The seven-year fight of KSD, owned and operated by the St. Louis Post-Dispatch, for recognition from KFUD, the Lutheran station, and permission to operate on full time, ended victoriously last week when the Federal Communications Commission granted unlimited time on its frequency of 550 kc. and permitted KFUD full day time operation on 550 kc. FCC's order resulted from an agreement reached between the management of the two stations. At the same time the local situation was otherwise altered.

FCC authorized KSD, the other newspaper-owned station here, to use 1,350 kc. to 1,380 kc. and to use 1,380 kc. power day and night instead of 500 daytime and 1,000 watts at night. It is expected that 30 days work will be necessary before KSD can use its new frequency. KSD was authorized to use 1,380 watts day and night on its 1,380 kc. frequency instead of 500 watts daytime and 1,000 watts at night.

To make it possible for KSD to use 1,380 kc. the commission authorized KFUD, Columbia, Mo., a sister station and WGBF, Evansville, Ind., to move from 1,380 to new channels. KFUD will have unlimited time with 500 watts on 1,370 kc. and WGBF unlimited time on 1,370 kc. while KSD will have 1,380 watts power daytime and 1,000 watts at night.

Under the order KSD will have exclusive use in the middle west of the channel it has occupied since 1923. This makes possible continuous operation of the station from 8 a.m. to midnight, a total of 128 hours a week and in no emergency a 24-hour plant can be maintained. KSD began broadcasting on Feb. 14, 1923 and in 1925 was assigned 550 kc. to the first station in the U. S. to be given this assignment.

KFUD's new frequency is the same as used by KDA, Denver, but the distance between the two stations is sufficient that they will not interfere with each other in the daylight hours when KFUD is in service. The order also gives KFUD many more hours of operating. KFUD first went on the air Dec. 14, sharing time on 550 kc. with KSD. For the past seven years each station sought to be relieved of the time-sharing arrangement and great sums of money were expended in battle before FCC before the State. KSD is an affiliate of the NBC Red.

Not Normal

Washington, May 14
Recent Variety story about the radio characteristics which distinguished radio before the war is backed up by one Director of Columbia's new drive.

Asked by H. B. Searge, special agent in charge, NBC station, to come in on the office radio, Searge said: "Are you one of those fellows who say that the radio is a thing of the past? I thought you don't talk like other people."

DEPT. STORE TRANSCRIPTS READY

National Retail Dry Goods Assn., whose annual conference in January included the first major session ever devoted to the use of radio by department stores, is now issuing a verbatim transcript of this session. First is bound to fancy and black covers and sells for \$1.50 per copy. The demand that several stations have ordered the booklet in bulk for distribution to merchant prospects in their towns, because the text is about as good as anything the N.R.D.G.A. has ever uttered.

Also understood that N.R.D.G.A. annual and semi-annual meetings will hereafter continue the discussion on radio. Also A. W. DeLo, who formerly handled this angle for the trade group, meantime has resigned to become sales promotion manager for Kaufman's department store in Pittsburgh. Joe Hanson, ex-Bamberger's and former member of several ad agencies, replaces.

LISTERINE BIDS FOR CAMPANA VACANCY

Listerine has put in a bid for the Friday 8-10 to 10 p.m. period which Campana is abandoning on CBS. Listerine is withdrawing the "First Night" show.

Listerine's "Grand Central Hotel," which fills the suspense half hour, has to compete with the "Joe Amato-Old Gold" show.

CHANGED TO 'RHYMO'

Philip Morris Program Title 'Swings' Called a Lie

Johnny Green's spot show for Philip Morris on WABC Sundays has been given a switch in title from "Swings" to "Rhyms". A show by the former IBM had been produced by a station on the Coast when the switch when a speaker was registered. But there is the show's WABC.

N.A.B. to Participate At Advertising, Dry Goods Gatherings in Chicago

Arrangements have been completed by the sales managers' division of the National Association of Broadcasters for its participation in the convention of the Advertising Federation of America and the National Retail Dry Goods Association in Chicago next month. The former will be at the Sherman House (21-27), while the NRDGA will meet at the Palmer House June 17-20.

NAB commercial section will have regular panel sessions the mornings of June 18 and 19 on current advertising and sales problems affecting the industry, with one of the sessions open to the AFA delegates. Agenda includes the so-called unit plan for securing radio station advertising volume, dealer-cooperative advertising and the consumer movement. On the night of the 19th the telecasters will see a show for the AFA delegates. This will include a regular broadcast of "Professor Quiz" (CBS). Also the NRDGA's "Retailer's Club".

The NRDGA participation is an invitation and the major topic affecting the NAB group is "Radio for Retailers". No date has been set for this discussion.

GODFREY'S GAGS

NBC Room Babelers About Lord God Broadcasters' Honor

Arthur Godfrey, who is plugging Friends Tobacco (Lancaster) by the transcription route on 28 stations, was almost moved off NBC's managed and owned stations because the network's program board considered one of his gags as politically controversial.

In this particular gag Godfrey was telling about the people that live in and out of the White House daily. And strange as it may seem, cracked Godfrey, "even Mrs. Roosevelt can be seen occasionally."

Gags on a similar theme have been used by network comedians to wit.

Maurice Marlon to L.A.

Maurice Marlon, assistant to Sammy Weisbord, of the William Morris radio department, goes to the Coast tomorrow (Thursday) to become assistant to John Glavin, of the Morris office there. Will remain indefinitely.

From the Production Centres

IN NEW YORK CITY . . .

Fred Allen last week remarked that if the Brooklyn Dodgers take the new games they'll be investigated by Dewey. Kenneth Wells, of R.D. & G., with the Robert Ripley troupe for its western trip. John E. Gilson and Sandra Michael (Mrs. Gilson) in Chicago this weekend to sell the production lineup for the latter's new P & G serial, "Lone Journey".

Charles McCracken now writing "Kale Hopkins' Angel of Mercy" for Revlon & Revlon. . . Stuart Hawkins and Johnny Martin are writing "One of the Finest" . . . Florence Mack, of NBC press department, vacationing but staying in town.

Gerald Cook, NBC's New York rep, in Canada on his way east from a nation-wide radio tour. . . Felix Dymov, whom he replaced, currently in the south. Both due back in about a week. . . W. H. Auden, London poet and playwright currently in the U. S., has written an untitled drama in verse for the Columbia Workshop program May 28. . . "Truth or Consequences" moved Saturday (11) from CBS playhouse No. 2 to the Baltimore Plaza hotel.

Walter Vaughn replaced Jimmy Neighan on "Against the Odds" . . . Richard Albert and Harold Stone doing single spots on the same show. . . NBC pages and guides, who have presented live television performances of their home talent minutes, will perform at radio prices this Thursday (18) at the Ritz theatre (14.50 top) and the proceeds will go to the Greater New York Fund. . . Since his return from Hollywood, Harry Smith is a professional New Yorker. . . Dr. Charles Courmont off to Texas for a "gag" convention. . . Grand presidency of Alpha Delta Sigma (advertising fraternity) goes to Ken Dyke of NBC. . . Mrs. Bill Smith is rep. of Kew College alumni, which is having Gay W's Costume Party this Sunday at Westminster home of Osa Harbach. . . W. B. Lewis, CBS program v.p., back from Hollywood as John Reed due to South America. . . Book about Holland suddenly advertised in N. Y. dailies after Nazi invasion and written by the professor-father of CBS writer Eric Rasmussen. Rasmussen was from Holland. . .

"Musical Mysteries" 26-minute variety show with WINK, New York, starts from 2 p.m. Sundays to 1:30 p.m. Thursdays.

IN HOLLYWOOD . . .

Disney Dancer moved his Lux show west to Columbia's Vine Street theatre after two years at the chair's Made Fire on Hollywood Blvd. Making the move were C. B. DeMille, producer; Lou Silver, music director, and Hal Roach, announcer, who passed the full period at the old location.

Don Gibson, Harrison Holloway, Syd Deane and Walter Duesler moved on NBC delegation for L. A. night at Bohemian club in Friar. . . Edgar Bergen rode for four days with the Vandervorks, an old California outfit. . . Barbara Jo Allen may do a daily syndicate feature on her "Vera Vegas" character. . . Cliff Martinez straightens as vocalist with Kay St. Germain and Ray Hendricks on Meredith Willson's "America Sings" for Johnson.

Summer programs will differ from other musical shows in that no time will be wasted on announcements or identifications between numbers. . . Lewis Allen went to Vancouver in July to address Pacific Advertising Club convention on "Television—Third Dimension of Advertising." . . Coast branch of American Federation of Radio Artists throws no outdoor study at Upstairs this June 1. . . Jack Rogers leaving KKK suddenly gang while Hal Burke is on the Burns and Allen safari. . . James Cagney has the June 3 guest spot on "Chain & Sashers."

IN CHICAGO . . .

Betty Barrett has joined cast of "Kathleen's Kindergarten" . . . Cliff Buckley and Fern Poyant added to "Arnold Grinn" . . . Lester Damm, Laurette Fulkerson, Pat Wills, Judith Allen, Mike Romano, Hugh Brown, Gloria Hanson, Stanley Harris, Mercedes McCannick and Fred Sullivan off the same show. . . Louise Fitch, Mary Frances Desmond, Chae Braxton now on the "Ma Perkins" series, Lenora Klugman having dropped off. . . Laurette Fulkerson added to "Kitty Kew".

Bob Strala to Oklahoma territory on his. . . Robert McKee added to NBC spinoff staff, coming in from WHPC, Chicago. . . Ethel Reid Warner this week starts new book-reviewing program on WJJD under tag of "The Bookshelf" . . . Nathan Warr, writer of "Story of Bud Barton" hosted by NBC at press and cocktail party. . . Les Mitchell spoke on radio technique and dramatics at Loyola Community theatre. . . Allen Franklin doubling from baseball play-by-play on WJJD to new poetry program tagged "Clay Carver" . . . Henry Martin making a personal at the Memphis Country club. . . Ray Shields, who filed in as co-anchor for the Canadian program when Janet Pennington died suddenly, looks to go along on show indefinitely. . . Alvin Thompson getting his rights transferred. . . Ed Prentiss added to cast of "Story of Bud Barton" . . . Ted Weems orchestra doubling from NBC-General Mills show to a Saturday dance work at the Aragon ballroom in Chi. . . Sam Wasson and Charlotte Holland, other performers, slated for a night on May 25. . . Everett and Betty quartet will do a show on the Bob Hope program from Chicago next week.

TEN YEARS EXPERIENCE ON WKY SUMMED UP IN EXACTLY 25 WORDS!

AFRA E.T. Scale

Continued from page 24

be lost that minimum rates, within 15 days of performance. Payment must be direct, not through any third person or agent. No defense except as required by law.

12. Time spent making recordings later discarded must be paid for at rehearsal rates.

13. No reproduction may be made of any except "live" performance, unless with AFRA written consent. No re-recordings may be made of previously recorded performance.

14. Performers retain their common law and property rights in their recorded interpretations.

15. Producers must pay for all recorded performances, unless written notice is given 24 hours in advance.

16. Producers must pay for cancelled individual engagements, unless for "gross insubordination or misconduct." Signatory agrees that after the engagement is made, the risk of the artist's incompetency is assumed by him (signatory).

17. Transcriptions must all carry an AFRA label. Violation of this rule may involve (a) revocation of the signatory's rights in all his previous transcriptions, (b) revocation of his right to his AFRA membership, (c) be listed as "unfair" to AFRA and be subjected to AFRA boycott.

18. AFRA is to be supplied with

signatures of the papers of transcriptions for the transfer or distribution of transcriptions. No master transcription to be used for subsequent players after the original batch have been made.

19. Signatories agree not to supply time to stations "unfair" to AFRA.

20. Signatories agree to withdraw all transcriptions made prior to this code.

21. One of five minutes or less may be repeated as often as desired until two months after making, but subsequently not at all.

STANDS OUT

WBNS
COLUMBUS

All you need in Central Ohio

5000 WAYS DAY
1000 WAYS NIGHT

John E. E. Co. Representing

WKY
OKLAHOMA CITY

OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING COMPANY & REPRESENTED NATIONALLY BY THE KATZ AGENCY, INC.

© Malt-O-Meat has been kept before WKY listeners for more than ten years, spring, summer, fall and winter. To quote Malt-O-Meat's representative, "We have always obtained splendid results." WKY has many such advertisers. . . sponsors who gave WKY a 13 or 15-week trial and then came back for a run of 5, 8 or 10 years. . . sponsors attracted to WKY because of its reputation for showmanship, sponsors sticking with WKY because of its standard brand of product exploitation.

P.S.—They Don't Get The Job

Philadelphia, May 14.

Spring—the traditional time for young men's fancies to turn to thoughts of love—inspired two college boys in these parts thinking about getting jobs on the radio. And the radio side has thought up a raft of clever stunts in order to get the eye of station execs. According to Jerry Dimes, public relations director of WDAS.

Very few of the would-be radio experts want to be announcers, singers or comedians—instead the kids seek jobs in the executive or production departments. The college boys—most of them from University of Pennsylvania and Temple University—have worked out systems that can be broken down roughly into approaches 1, 2, 3, 4 or 5.

1. Executive approach: The aspiring young radio-bug gets a girl friend to act as "secretary." She calls the station and says: "This is Mr. Dimes' secretary—he wants to talk with the station manager." Young Dimes, posing as a business man, asks if he couldn't drop around and discuss radio programs. As soon as he gets a personal audience he fills the station boss for a job. This one usually gets the boy's rank.

2. Background approach: Dimes writes a letter listing a lot of glamorous jobs he has held in the past. When he is called in he breaks down and admits that he hasn't any experience, but begs for a chance just the same. This one gets stunted in a hurry.

3. Impassioned approach: Dimes believes in the old adage that sincerity gets its own reward. After getting by the receptionist he grabs the head of the first guy who looks like a boss and says he'll do anything—even with windows—just to be near such a great organization as Station Blank. These guys scream when they've landed a man and a bucket.

4. Constructive approach: This type keeps bombarding the station with letters giving suggestions on how programs might be improved. Sometimes they're asked to for a personal confab. In rare cases these kids really have a new idea.

5. Discovery approach: Dimes mingles in on man-on-the-street broadcasts. Then for a week afterward the station receives letters asking about that "new wonderful voice of Mr. Dimes I heard interviewed on WDAS." Trouble is that all of the letters usually are written with the same typewriter.

KTSA'S NOVEL HOIST FOR MOBILE UNIT

San Antonio, May 14.

KTSA will add a mobile transcription unit. Plans call for truck to be built with jacks so as to raise it a large crowd bar can be hoisted and the transcription can be made without danger of the crowd jumping the truck due to the crowd lifting the truck.

Other features to be incorporated in the truck will be that of a power unit. Either regular electrical current may be used at the truck's own power supply can be used.

Ken Boice After Biz

Ken Boice is soliciting business for the Transcontinental Broadcasting System, which he dropped into several months ago. Boice has supplied several agencies with copies of a list of stations which he asserts have accepted not only affiliation with his project but the new terms of station compensation.

Boice was formerly v.p. in charge of sales for CBS, later becoming a v.p. at Boston & Bowles.

St. Louis—Virginia Bell has been added to the radio staff of the Illinois Advertising Co. as continuity writer.

Non-Commercial Radio

Columbia, May 14.

1. Keith Tye, director of the Institute for Education by Radio, is asking the trade at large for reactions to the Institute's report awards. Understood the Institute hopes to have a more criticism-proof system of judging in the future.

13 Programs a Week

Terry House, May 14.

The radio division of the Institute State Teachers College is now presenting 13 broadcasts a week over station WGRW here. Material includes with subject matter of high schools in area plus student forums, music appreciation courses and an adult education series called the "Terry House Meeting of the Air". Clarence M. Morgan is in charge of the radio activities.

Fowler's New And

Lafayette, Ind., May 14.

Purdue University last week dedicated a new Hall of Music seating 4300 persons. WLS, Chicago, and WLS, Chicago, carried estate programs as well as educational station WRAA.

Purdue also has fairly steady tie-ups with WGRW, Ft. Wayne.

Health Show on 24 Stations

Springfield, Ill., May 14.

The Illinois State Department of Health under Dr. A. C. Barker has a radio director, Leona de Mare East, and a fairly ambitious schedule of radio programs. It has transmissions on 24 Illinois stations for a weekly duration of seven and a half hours time.

Called the Illinois March of Health the show is dramatic in character and are recorded in Chicago at World and with AFRA performers. Among them, in the recent past, Alice Hill, Rita Aspet, Janet Logan, Kay Campbell, Jean Kay, Florence Raynal, Ken Christy, Ray Langer, Rene Gekker, Bill Bowdler, Bob Bailey, Ed Allen, Jr.

Adding the Officers

Denver, May 14.

The Rocky Mountain Radio Council is conducting a mail questionnaire

Iran (Persia) Makes Elegant Event Of Its New Shortwave Station

Washington, May 14.

Six Hours of Symphony Sponsored Over WCFL

Chicago, May 14.

One year's contract for six hours of symphonic music each evening has been signed on WCFL by the Service Drug Stores, set through the Goodkind, Jones & Morgan agency here.

Program will run each night at 10:30 with Martin Dabrowski as m.c. and commentator.

More on Brief Line

Washington, May 14.

More radio attorneys appeared last week in session before the Federal Communications Commission. New lawyers as follows:

Robert E. May, Charles B. McInnis, Samuel William Hubbard Maloy, Francis M. Sullivan and George W. Young, all of Washington; McMillen Lane, Marion, Ga.; Robert Hill Peck, Franklin, Tenn.; and George W. Shea, New York.

Glenn Garr Incorporated

Albany, May 14.

Glenn Garr, Inc., has been chartered to conduct a bank business in New York. Capital stock is 100 shares, no value.

Bernard L. Miller is the chief attorney.

Through the show Joe Glenn has put on a stock issue the Glenn Garr band that he is looking out of Consolidated Radio Artina, Inc. Band is due soon at the Rustic Cabin, Englewood Cliffs, N. J.

Survey of "prominent citizens" soliciting comment and opinions on the type of program they would like to have broadcast.

Robert Hudson is director of the survey.

Biggest new-station announcement which the broadcast industry probably has ever seen was put out last week by Iranian Legation at Washington.

Heralding the inauguration of a new DX service, the Iranian minister sent out numbered copies of the announcement—bearing the imperial seal-of-arms of Iran (Persia, to you)—to the Washington bureaus of various big dailies. High-ranking pressmen were repaid as follows:

The Imperial Legation of Iran at Washington

presents its compliments to ... (names of newspapers) and has the honor to announce that

"Radio-Tehran" was inaugurated at Tehran, Iran, at 7 o'clock on the evening of April 24, 1948, in the presence of his royal highness, the crown prince of Iran.

The transmission of news to foreign countries will be by short wave, 20-26 and 28-27 meters, and the news will be broadcast in six different languages: Persian, Arabic, French, Russian, English and German.

The Iranian government recently re-established its diplomatic staff in Washington after spending several seasons in a hasty state of mind, during which relations between the Iran and the U. S. remained temporarily severed.

Curiousness of an "international incident" made the front page some years ago when an Iranian minister—once replaced—was embroiled in a traffic spat with a small-town Maryland cop who had not heard about the "diplomatic immunity" which protects foreign ambassadors from the speed laws and other petty annoyances of American civilian life. Following the unbridled conflict, the Iranian withdrew from Washington—during the legation and disposing of its furnishings until once healed the wounds.

KRLD

DALLAS, TEXAS

50,000 WATTS

CBS

The oldest and the most powerful CBS station in all the Southwest

For more information about KRLD, one of the sixteen CBS 50,000 watt stations, inquire of The Brenham Company.

THE SOUTHWEST'S PIONEER CBS STATION

Sidelights on Radio War News

Military Censor Versus Journalist

If the new turn of events in the European conflict has not exactly muted the network's crop of news commentators, it has in some extent rendered them incapable of fully outlining what is going on. Here Major Eliot shines.

The presentation of any war has two major aspects: (1) 'policy' which is the definition of the final objective by the people and their rulers; and (2) 'strategy' which is the planning and execution of battles to accomplish the 'policy'. To date, the 'policy' end has always been in the forefront, and the regular news commentators have more or less expounded this phase with facility and detail. Now that the 'strategy' angle is in full play, however, the boys are finding the water very over their heads. This is where Eliot gets a chance to go to bat, and against very poor pitching at that.

Comparison of Eliot's remarks with those of non-military speakers immediately shows where the latter are at their weakest—in their estimation of what is a worthwhile military objective. The non-military boys seem to make a fuss about the capture of any one-horse crossroads or railway junction, whereas Eliot avoids this tendency toward useless warfariness. In fact, so far as the networks are concerned, it will be the military men—and not the civilian commentators—who will avoid inflating the air with emotionality and sometimes useless heart-throbs.

Eliot's delivery is crisp, incisive and well-phrased. It is also matter-of-fact, somewhat along the lines of a doctor reporting on his last appendectomy. This slight dryness may have a calming effect in the midst of the regular news bulletins. Eliot has another advantage in that he doesn't have to broadcast as often as his non-military colleagues. At any rate, he fills his job well, and CBS has a decided edge in his presence.

War Maps in Demand

Warfare Oil's offer of 1,000,000 free war maps has been quickly exhausted; another 1,000,000 on press.

No Groups, News Expected

Since the Belgium-Holland-Luxembourg blitzkrieg was launched Friday (13) some of the news services finding radio sound anything resembling a soap. On the whole, New York observers don't expect there to be the war coverage in pictures, necessarily because of confusion on the one hand and military censorship on the other. But the least surprising factor were continued broadcasts from Amsterdam, although the Germans were uncomfortably close and the Royal Family had fled to England.

Parachute Bumping?

Parachute troops about by engaging the home defenders even while the front is far away may, it spreading, longer radio broadcasts out of Europe, bearing out the claim, long made by shrewd broadcasters, that the greater the military activity, the greater the radio reputational problem.

Eliot Davis' Big Audience

Eliot Davis got the ideal break commercially. He began broadcasting for his new company, Gillette, on Friday night. CBS had Crowley, Inc., check the Davis audience in Providence, Baltimore, Detroit, Wichita and Minneapolis by 'immediate recall' telephone interviews. The proof of the high listener interest was a recall rating of 57%.

Networks Stick to Pledge

Despite the tremendous impetus given to the output of war news by the invasion of the Low Countries by the Nazis the networks have, with little exception, stuck to the war broadcasting rule which they entered into last September. After

the initial impact of this event and the resurfacing of the British evacuation (Friday) had passed, the war news back into the prewar format of their past. War coverage was confined to pre-scheduled periods and there was no breaking into other programs with bulletins.

May On Air All Night

NBC, CBS and Mutual kept going all night Thursday. The following day its signal came between one and three a.m. and on Saturday it was again on the air between one and three a.m.

After the flash came through sometime after Thursday midnight that Holland had been invaded the networks rushed to bringing their staffs and to line up foreign pickups and domestic commentators. While CBS practically confined itself to the same expert staff that it has been using on this side and abroad for the past eight months, NBC and Mutual started a roundup of supplementary authorities and correspondents. Among NBC's auxiliary corps were Dorothy Thompson, Paris; Edmund Stevens, Stockholm; Eugene Lyons, New York; and Capt. Frank Belknap, U. S. N., retired. Mutual added Charles W. Karwood, aviation expert; Victor Lombard, from French General Headquarters; Riley O'Sullivan, of the Associated Press, who it is figured was the last to broadcast out of Amsterdam; Edmund Taylor, of the AP, Paris; and Robert Olin, AP, Brussels.

While the other networks put on several European roundups a day, Mutual was the only one to give such programs a full hour. That was Saturday night (14-15).

Bookings to Be Broadcast

Thomas Grandin from Paris gave CBS listeners a brief burst of the inside incident to air raids—the warring staves. He explained he was unable to open the window for a sharper pick-up as to do so would violate the military blackout. This Grandin bit was much talked about in New York circles. (It came a week after a Vantage page one story reported that the NBC would fly America's actual on-the-spot broadcasts if and when the Nazis took London.)

Bolt, Marvin, Steele Busy

Fred Bolt, the NBC chief of European staff, has been keeping up a grueling pace in London. That remains true of Edward Marvin of CBS who is on the air only less frequently than Bolt's time signals. Mutual's John Steele has been among the best from across the camp although his schedule is infrequent and the 'radio factor' is not operating to his benefit as with others.

FLY PRAISES AIR JOB ON WAR

Washington, May 14. To a limited extent, the FCC is apparently willing to live and make up. New spirit of forgiveness was disclosed Monday (13) when Chairman James L. Fly suddenly decided to hold a press conference at which he said the industry has done a good job in keeping U. S. packed on Hitler's terrorism of the low countries. Specially invited audience of newspapermen—the station was scheduled out of a clear sky and was in marked contrast to the difficulty legmen have had in the past getting to Fly—heard the whip-cracker argue that telephoned reports from overseas are 'intelligent and fair.' Gracious compliment, which pleased industry observers, was attributed to concern of New Deal politicians over the possibility that Republicans will make campaign capital out of FCC's alleged anti-business stand. Suggestion for the let-a-lie came from a judicial strategist close to the White House. Fly remarked that radio has been 'doing a whole lot of a job' and in the past few days 'performed a real public service' in informing listeners about what goes on. In the past he has been willing to do some book-keeping, but never so meticulously and with so little provocation.

Edmonton, Alberta, police department will pay Taylor, Pearson, Carson Broadcasting Co., operator of a chain of Canadian broadcasting stations, \$4,000 to equip its automobiles with radios.

European 'We, the People' Fizzles

What had been intended as something pretentious on the 'We, the People' program (CBS) last Tuesday night (11) petered out into a simple, little, and not quite exciting effort. With the collaboration of Columbia's special events department, the program set out to bring in interviews with 'average citizens' from four neutral countries, Sweden, Romania, Holland and Italy.

When the program went on some of these was included. Instead, listeners got a pickup from London with the off-board Edward Marrow, CBS staff man, interviewing an Irishman and a Swedish girl. The Irishman rambled on in the style of Brian Aherne droning that where he came from they were not so excited about the war and post-pushing the need for blackouts in his country. The Swedish girl, who sounded very much like Greta Garbo, contrasted the former happy state of affairs in her country with the plight in which it now finds itself. She added that her country was anti-Nazi but not pro-British. Only thing that was surprising about this pickup was the latitude of opinion and freedom of speech implied in the interviewers' remarks.

News Periods Highlighted

Des Moines, May 14

Because of the great interest in radio news periods due to the European war the four Clevelands are listed in the Des Moines Sunday Register (Clevelands owned) under a new simplified system worked out by radio editor Mary Little to show listeners where, who and when. The chart below is for KRNT. Similar logs are worked out for Clevelands KBO, Des Moines WMT, Waterloo, and WHAX, Yankton, S. Dak.

KRNT News

TIME	PROGRAM	ANNOUNCER	MON	TUE	WED	THUR	FRI	SAT	SUN
5:00 a.m.	News with Wayne Ashby		X	X	X	X	X	X	X
7:00 a.m.	News with Wayne Ashby		X	X	X	X	X	X	X
9:00 a.m.	News with Gene Lott		X						
10:00 a.m.	Radio South Special		X	X	X	X	X	X	X
10:30 a.m.	News with Gene Lott		X						
11:00 a.m.	News with Gene Lott		X						
1:00 p.m.	News with Gene Lott		X	X	X	X	X	X	X
2:00 p.m.	News with Gene Lott		X						
3:00 p.m.	News with Gene Lott		X	X	X	X	X	X	X
4:00 p.m.	News with Gene Lott		X						
5:00 p.m.	News with Gene Lott		X						
6:00 p.m.	News with Gene Lott		X						
7:00 p.m.	News with Gene Lott		X						
8:00 p.m.	News with Gene Lott		X						
9:00 p.m.	News with Gene Lott		X						
10:00 p.m.	News with Gene Lott		X						
11:00 p.m.	News with Gene Lott		X	X	X	X	X	X	X
12:00 a.m.	News with Gene Lott		X	X	X	X	X	X	X

Early Morning Listeners Start a New

MARCH OF DINES!

30,000
IN ONE WEEK

Wednesday, April 10, at 7:00 a.m., on Julian Bentley's WLS broadcast (see early for an audience), WLS announced a new, up-to-date war map, available to listeners at 25 cents a copy.

In the same mail the same day, 100 dimes were received—many mailed within thirty minutes of the broadcast. In the 2:00 p.m. mail were 150 more and within a week 30,000 were received.

Again WLS proves that its listeners respond quickly and definitely—and that any time is a good time—if the program is good and the station has built a loyal and dependable audience.

WLS

THE PRAIRIE FARMER STATION
CHICAGO

Burrage B. Butler - President
Glenn Snyder - Manager

JOHN BLAKE & COMPANY - National Representatives

Write, Wire or Phone
YOUR NEAREST
VARIETY
OFFICE

To Reserve Space in the
1940-41

VARIETY
RADIO
DIRECTORY

NEW YORK
154 West 48th St.
NY 101-8-8153

CHICAGO
14 W. Randolph St.
Central 4481

HOLLYWOOD
1708 No. Vine St.
Hollywood 1181

Agencies Enfranchised in Canada

Toronto, May 14.

(As of May 1, 1940, the following is the official list of advertising agencies registered with the Canadian Association of Broadcasters as a prerequisite to "enfranchisement" for the annual 12% commission.)

Adair Advertising Agency.
Adair & Currier,
Ayer, R. W. & Son of Canada,
Baker Advertising Agency,
Canadian Advertising Agency,
Cockfield, Brown & Co.
D'Arcy,
Dwyer, A. J. & Co.
Ellis Advertising Co.
Fynes Advertising Service,
Fisher Co., James,
Futter, Harry E. Agencies,
Gibson, J. J.,
Hagman, C. F. H.,
Kelly, Russell T.,
Lalor, Clarke,
Lunt & Thomas of Canada,
MacLaren Advertising Co.,
McConnell, Eamon & Co.,
McKim, A.

Norris-Pullman,
Purkin, Thurston,
Reynolds & Co., E. W.,
Richardson-McDonald,
Ronsdale Advertising Agency,
Smith & Son, R. C.,
Stevenson & Scott,
Stewart-McIntosh,
Tandy Advertising Agency,
Thompson, J. Walter,
United Radio Advertising,
Vickers & Brown,
Wallace Advertising,
Walsh Advertising Co.,
Whitehall Broadcasting,
Metropolitan Broadcasting Service,
Providence Broadcasting Co.,
J. E. Hunt Enterprises,
William R. Orr & Co.

MORE AIR ADS IN N. Y. MILK PROMOTION

Albany, May 14.

A wider use of radio is planned in new milk promotions which State of New York will sponsor, under a \$40,000 appropriation, and with J. M. Mathes the agency for 50th straight year. In 1939, first year since went into business of stimulating consumption of fluid milk, N. Y. After spending a children's serial and another program. One was heard via state network and other on metropolitan station. Later, air portion of campaign was increased, along with a cut in the appropriation. For two years, plugging consisted of one-minute electrical transmissions, played in series on about 18 transmitters throughout the state. Some of these were by well known voices.

Last year an experimental was made in a morning participating program for women over WJZ. Surprisingly good results were obtained, some participations in a WGV home feature also were used. There will be an extension this year. Messages will be geared toward adult rather than kid listening.

Endorsements of milk as an aid to good health, skin beauty, etc., by Hollywood women stars will again be employed in newspapers. All bills and weeklies of state share in allotment of copy.

H. M. Feeley on Own

Seattle, May 14.

H. M. Feeley, formerly with Free & Peters, has opened his own station rep office in this town. His firm name is H. M. Feeley & Associates. He has started off with the representation of the Washington and Oregon groups in the Don Lee Network. His northwest batch of stations calls itself the Pacific Broadcasting Co.

Merwin Morrison Quits As City P.A. for WGR

Buffalo, May 14.

Merwin C. Morrison has resigned effective June 1 as city publicity director to join WGR-WGRW staff, where he now handles hobby program. Morrison's action followed Commerce Council's slashing of his salary from \$4,000 to \$2,000 yearly and putting job on part-time basis.

Before going with city, Morrison was with Buffalo Evening News where he handled promotional broadcasts over WGR.

Swift Air Pep Rally

Swift & Co. will broadcast a single broadcast of a meeting of its sales force over the Mutual net May 16—and as a repeat airing of the thing later in the day for additional outlets on the Coast. Called "Sales Meeting of the Air" it will air over 28 Mutual outlets in the east and the Midwest at 10 a.m. and will be re-broadcast for 15 more in the Coast and southwest regions of women. Emanates from WJLN, Chicago.

An additional eight outlets will re-broadcast the 20 minute pep talk and broadcast at 1 p.m. in various other parts of the country. Single airing is in behalf of Penn. & Swift product. J. Walter Thompson's Chi office arranged.

Elliott Roosevelt on 46

San Antonio, May 14.

Elliott Roosevelt's news series jumped from 12 Texas State Network stations April 26 to 46 national stations within a week's time. Sponsored by Dr. Lyons Tooth Powder (Blackett-Bangor-Rummert).

Two days after the series started, four additional Texas stations were added, totaling 16 for the May 1st airing.

Ralph Aella Sells on WNEW

New Haven, May 14.

Ralph Aella Sella's Connecticut Hall of Fame, which series aired last several seasons on WBBY, WTIC and most recently on WJBC, expands to "American Hall of Fame" proportion on WNEW, New York.

Aella Sella's now in Manhattan lining up guests.

WGAR Lingual Radioite Fails to Put Over DST

Cleveland, May 14.

Daylight saving measure, sponsored by Councilman John M. Lawrence, president of the Nationality Broadcasting Association and director of WGAR's Polish Hour, was defeated last week. Union groups and certain picture exhibitors fought the proposal.

Ernest Schwartz, head of the local exhibitors' association, charged that daylight saving time would be a blow to the town's picture business and that radio stations and gasoline companies were the only factions favoring the measure.

WTNY, TROY, HAS 1ST COMMERCIAL FROM CBS

Troy, N. Y., May 14.

Since sponsoring "The World Today," 15-minute round-up of war news via CBS, has added WTNY, new Troy station, to list for Wednesday and Friday broadcasts. It is the first CBS show to be aired by WTNY.

Program is not heard via WJGO, Columbia's outlet in nearby Albany, except Saturdays and Sundays—two of five nights when it is continuing.

Weir, CBS Press Top, On Canadian Checkup

Winnipeg, May 14.

E. A. Weir, commercial manager and press and information chief of the Canadian Broadcasting Corp., is on a flying trip through the Dominion. Touching CBC offices on the way out and will do same on the way back.

Slater trip is general inspection tour and has no bearing on commercial angle. Spending most of his time in press relations.

Denver—Bud Therpe, announcer from EDDL, is now doing his newscast for KLS, Denver.

Americans' Radio Stations Dominate Shanghai International Settlement

Shanghai, April 24.

The International Settlement of Shanghai is British-controlled, including the police, the police department, fire department, public transportation systems and other public utilities, but Americans have complete broadcasting control—a fact considerably resented by their British neighbors. All of the three foreign radio broadcasting stations of the International Settlement are American-owned and managed. They are stations XHNC, XHNA and XQHB.

Station XHNA is owned by L. Hensley, of Boston, Mass. On the air from 1 a.m. until midnight every day and Sunday. The station, incidentally, has the most famous news commentator in the Far East—Carroll D. Alcott, of Des Moines, also employed by the China Press.

Prior to the recent municipal elections, a Japanese radio station north of Shanghai Creek, "jaunted" Alcott's broadcasts because of his open opposition to the Japanese scheme to start five Japanese council members and their gain control of the council. The Japanese were successful in jamming the broadcasts but failed to gain council control. The jamming of the station resulted in sharp protests to the American consular authorities, they in turn protesting to the Japanese consular general. The latter denied that a Japanese station was responsible for the interference.

Station XHNC is owned by Herbert May, New York-born Chinese, and is operated by the Shanghai Evening Post and Mercury. May was formerly with the United Press in New York. He is the station's news commentator and chief announcer.

Station XQHB is owned and operated by Mrs. William Robertson.

Time was when two British stations broadcasted here, but both folded up after sustaining heavy financial losses. At present a new British station, to be operated by the North China Daily News, British writer morning newspaper, based on the horizon. Reports have it that the station will receive a subsidy from the British Government.

There are 19 Chinese stations in Shanghai under the control of the Japanese military and they do not broadcast anything unfavorable to the Japanese.

RAUH, HARVARD LAW WIZ, TAYLOR AIDE

Washington, May 14.

Appointment of Joseph L. Raub, Jr., young Harvard University graduate, as assistant general counsel to the Federal Communications Commission was announced last Wednesday (13) following the resignation of William C. Kaplevitz to enter private practice. Raub, who formerly occupied a similar position with the Wage and Hour Division of the Department of Labor, will assist 32-year-old Telford Taylor, who last week was appointed general counsel, replacing William J. Donaghy. Donaghy and Kaplevitz retired to go into a private partnership.

Raub, a native of Cincinnati, graduated from Harvard magna cum laude in 1931, at the age of 21. He later graduated from Harvard Law School at the head of his class. The Cincinnati has also been a member of the Securities & Exchange Commission legal staff and law secretary to two associate justices of the United States Supreme Court, Felix Frankfurter and the late Benjamin N. Cardozo.

Take your pick...or take them all



...either way Mutual costs less

Mutual matches anybody's appetite. If you want a coast to coast banquet, Mutual can put 225 of the leading 300 U. S. markets on your platter at only \$9570 per week for three ¼ hour evening broadcasts, scaling down in thirteen-week cycles to \$6,756 if the campaign runs for 52 weeks. Or if you want to try just a few main markets of your own choosing, Mutual serves them up at substantial savings. Either way you'll find a Mutual diet exceedingly fattening for all your sales.

MUTUAL BROADCASTING SYSTEM



The best "spot"
radio buy in
BALTIMORE:

WFBR NEWS SERVICES

Available in 35 and 100 word live announcements and 5 or 15 minute programs.

WFBR
BALTIMORE

Write for details or consult Edward Peary representative.

National Representatives
EDWARD PEARY & COMPANY

ON THE NBC RED NETWORK

YOUNG IN FRONT

With Edward G. Robinson
8:30 p.m.
WABC-CBS, New York
(Times & Tribune)

This is "Information, Please" without the cash register. And it may be added, without Clifton Fadiman, John Kieran, Franklin P. Adams and Oscar. The one effective personality among four on the first broadcast was Edward G. Robinson. He was dressed to be conversational, but not Edward G. Robinson, obviously drilled to get on with the show, though the questions were more important than Van Loo's observations, a definitely suggested union. That the one possibility of the first broadcast being something more than an unimpressive third-rate cartoon was of a successful program was lost, and "Young in Front" had to stand unsupported by personality and unrelieved by humor.

(It may have been partly a case of jitters with Robinson, as Van Loo at one point cracked: "I forgot my German three days ago.")

The questions directed at two writers and two actors were all of them from the printed page that had taken in several minutes, as that the set-up of the program, while differing in small details, is a reasonably exact facsimile of the "Colossus" style.

It unfolded pretty decently. It may hold the time for International Silver, but hardly the audience.

Lead.

YOUNG MENADES

8:30 p.m.—Local
WABC-CBS, New York

The idea of writing a straight 15 minutes of songs as a driving, relaxed, somewhat of experience associated with past or present romance, seems good. (It's a diluted version of the old "Young Men" program of daily memory.) Singer Edna Gurney, an experienced singer with the right touch for ballads, not too sharp and not too much on the crooning side. Voice added on, singing along with her. Various points in the memory word picture causing different tones.

Only thing wrong at this catching, noticeable only at the beginning, was the arrangement for the background band. They were overdone and unneeded several times in distracting attention from the voice. The much accompaniment, however, can easily be corrected. It's a nothing session.

Word.

TEST-IT

Theory Audience Q&A
8:30 p.m.—Local
WABC-CBS, New York

New program, aired from Palace Theatre, seems somewhat like a local edition of Dr. I. Q. Part I's broadcast immediately preceding network (heard here via WGY), makes points of similarity, and difference, apparent. Although not identical with Walter as technical side, question formula is much alike. Main deviations are comment and "reading" by announcers in audience; a "true or false" rather than a "right or wrong" interlude (with extra marked by pattern, an "all-arounder"); a series of class identifying local historical spots, instead of biographical sketches; absence of Leo Valenzuela's tricky answers.

Initial broadcast was perfectly accurate, due mainly to number of clues. Second did not hit his high gear, either. The Cornell and Owen Reed as "testers" seemed in big house lacked stage. Temps generally should be speeded—point-to-point switching in the show, gab not, and audience seemed up.

Lead.

Must Be Good

Behind the delay of CBS' forthcoming "Invitation to Learning" program is the fear of the production staff that a bad first impression in the highbrow show might cause such an idea for another several years. Right now the problem is to get stand-out savings with radio personality, enthusiasm for the medium and enough free time. Which is an error.

Stranglethorn Bart, of St. John's College, Annapolis, is the only personality so far lined up.

TONIGHT'S BEST STORY

With John Burnet, Helen Hall, Adeline Kline, Ed Lattimer, Jackie Jordan, Thomas Krane, Bruce Elms
8:30 p.m.—Local
WABC-CBS, New York

Dramatic series is co-operation with Story magazine brings that publication's editor, John Burnet, to the radio to introduce and interview the author of one of its stories. Then an adaptation of the story is played as the backbone of the program. The April 15 edition offered Helen Hall's "Snow in Summer," adapted by Edward Goldberger, of the station's staff, produced by Peter Will and directed by Mitchell Grayson. Audiences Hall made a few remarks about the year's production, then introduced it.

Concerned with a housewife and mother who is chosen by the year to write a novel and with a \$10,000 prize, the play related how her success brought her disillusionment about Manhattan's literary circles and almost wrecked her home and marriage. Whatever the original story's merits may be, the show was a disappointment via the air. This was at least partially due to the adaptation, which lacked veracity. But an essential flaw was that the characters themselves were dull, petty people. Production and direction were adequate, particularly for a small station, but the acting was uneven. As the over-the-top, Adeline Kline was forceful, but occasionally overdid the histrionics inherent in the part. Ed Lattimer was hardly professionally measured by her dimwit husband, but the two children, played by Jackie Jordan and Thomas Krane, were reliable, the latter perhaps consistently doing a Betty Field impersonation. Bruce Elms was plausible as the book publisher.

Series at least 60s a spot in the station's schedule, but it's questionable how much prestige it will bring the magazine, usually considered highbrow, except with the paid-advertiser fringe. There are no direct plays on the program.

Word.

BITTER SWEET

With Marion Clarke, James Melton
WGN Opera
8:30 p.m.—Local
WGN-CBS, New York

WGN, Chicago, recently aired the first of the three operettas for which it had imported Eli Barber to produce. Barber made a plausible event of the initial assignment, Eli Edwards' "Bitter Sweet," retaining in narrative and music the full flavor of this bit of dramatized old love and romance. Marion Clarke and James Melton did handsomely by the singing roles of Carl Lindner, the ill-fated orchestra leader, and Sari Meliken, the British pianist.

Meliken's script-reading double, who got no billing, was also especially good. Other ladies are due the chorus and Rini B. Gerson, who did the adaptation.

Other two in Barber's trilogy are "My Maryland" and "Rose Marie." In New York the program came over WGB, Mutual relay.

Word.

THE TREATMENT

With Edwin C. Hill, Clara McCarthy, Bob Mackay, Henry Hickman, Fred Gluck, George Van Doren and studio work (16)
3 hours
AMERICAN OIL CO.
Saturday, May 11
WYOB-NBC, Baltimore
(Joseph Katri)

Tied up exclusively by WYOB, the running of this classic turf event has been traditionally sponsored by American Oil and played to NBC Red with commercial applying to Atlantic southeast outlets where company products have distribution. Three-hour studio party preceding event, however, tied in to Maryland coverage, network consisting of outlets in Washington, Hagerstown, Frederick and Cumberland. (This year's race is said to be run under this auspice. Understood that wider look-up and new sponsor interested in country-wide circulation are possible.)

With Edwin C. Hill, regular American Oil commentator, handling color and Clara McCarthy, the actual race, studio used in addition its top commentators, Bob Mackay and Henry Hickman at the track and Fred Gluck and George Van Doren's studio work, in the studio, for pre-race look-up.

Three-hour studio party featured commiserate running talk and back and forth switching from track to studio for preliminary dope and gossip and earlier delays in the day's program. Announcers kept chatter fairly interesting and fresh and musical interludes by lounge orchestra filled out nicely.

McCarthy had little trouble keeping the actual running of the race clear and comprehensible. No puzzling changes of position or such and such competition edged in on this straight away gallop in won by the favorite Bloodstock. It was an easy race to describe and McCarthy managed to give it some exciting suspense, nevertheless. Hill was his usual assured and easy talking self and the local boys handled themselves well in big-time company. Commiserate okay without laying it on extra thick.

Word.

Television Review

MILESTONE IN TELEVISION

With Ray Perkins, Anita Markov, Anton Dolin, Ayla Andrews, Edna Gurney, Gertrude Berg, Annamary Dickey, Leonard Warren, Harry Ross, Peter Sellers, NBC
8:30 p.m.—Local
WABC-CBS, New York

This weekly telecast, marking the eighth of one year since regularly scheduled programs began, scheduled pertinent points on how far sight-sound broadcasting has progressed. One angle was that after-dinner speakers, who go across at banquets, often stick at well on television. Alfred H. Morton, NBC vice-president for television, proved this, his personal appearance coming through well. Ray Perkins, m.c., clicked nicely with all the plans and talking at in radio.

Anita Markov and Anton Dolin, ballet dancers, also gave the favorable side of new medium. Television camera's ability to shift from one group to the other, move from close-up to distance shots and catch twinkling toes, said much for the improvement over a year ago.

Perkins' review, basically a plug for a N. Y. women's store and a perfume concern, illustrated a weakness of television: its date-doll movement of models with a fashion stylist reading equally dull patter. (Hill here, too, of how obviously commercial plugs might become when television is commercialized.)

Negro entertainment, introduced by Ayla Andrews of Kit Kat Club, revealed the future need for careful pruning of performer time. Miss Andrews, admittedly good in her first song, could have trimmed her around and eliminated the third. Same true of Harry Ross, three consecutive dancers. Three Peter Sellers had the identical failing—too much. Clyde Hart, pianist, did one specialty.

Annamary Dickey and Leonard Warren, two younger members of the Met Opera, in contrast, offered their pet songs and bowed off Edward Johnson, director of the Met association, introduced pair.

"The Ugly Duckling," prize-winning Walt Disney short, showed that cartoons may have a future. (Less drawings, a few more impressive than some live talent on show.)

Wittgenstein not only proved philosophically perfect for television but her personality went as well as at a recent hotel.

Prediction of "House of Glass" sketch, prepared particularly for television, indicated what might be accomplished with radio serials when eight-armed broadcasting becomes general. Gertrude Berg's playlet registered impressively as it had done in the past on airwaves programs.

Mixed show of NBC pages and slides tied up well considering amateur talent.

Word.

The High Court

Albany, May 11.
When Patricia Norman, singer on Ben Davis's Half and Half program, was asked during an interview over WCEB, Albany, what numbers she would warble the following week, she replied: "I don't know. The agency decides."

JOHN T. McMANUS - NORMAN CORWIN

12:30 p.m.—Local
WABC-CBS, New York

What should be an ideal format for this sort of radio interview show was John T. McManus' 15 minutes with Norman Corwin, CBS radio producer-director, slated for an RKO film production booth. McManus is radio editor of the forthcoming PM, new New York daily, and both their chief was subtle and punchy.

Corwin's explanation of rhythmic cadence for Mike values and laundry other highlights were human-interest stuff of first calibre. His tale about the meeting of Carl Sandburg, the Lewis and Clark authority, and Charles Laughlin, who did an ad for the production of the Delanyburg Address, was a grand anecdote.

The last it was too early Sunday morning on CBS Sunday morning "Personality" series not to have enjoyed a wider audience.

Word.

ELMER DAVID

Newman

8:30 p.m.—Local
WABC-CBS, New York

(Max)

This 8:30-9 p.m. slot took as one of the most wanted-up spots on the air. Elmer David has brought it and a tremendous audience for comparatively little money. Elmer David has been in that period almost consistently since the outbreak of the World War and his Yankee twang is by this time as well known to nation-wide listeners as the value of such an analysis as R. V. Kilduff and Raymond Gram Swing.

Elmer got off a second break. It looked up with David at a most propitious time, as far as listener pull is concerned. Last Friday night (11) was David's first broadcast under the Elmer banner and coincidentally, one of those maximum listening occasions, with the country deeply interested in learning how the Nazis had fared in their day of invasion of Belgium, Holland and Luxembourg.

Elmer got in a plug at the opening of the broadcast and another at the finish, with one covering the company's new York room and the other, its blades. The sales copy was delivered in rapid-fire style and the time consumed was 45 seconds out of the hour and a half minutes figured for the David inning.

Word.

PAUL LAVAL ORCHESTRA

8:30 p.m.—Local
WABC-CBS, New York

Another example of a network trying to do something different with a house orchestra, Maestro Paul Laval has ideas on instrumental effects and they make pleasant and effective listening. The background of his experience is standard pop melodies of decidedly romantic persuasion and the highlight of his arrangements is the fine melodic treatment derived, through the reeds, strings and trombone. It all makes for one of those dates for simple, delightful listening to your music.

Instead of an announcer, Laval uses a mixed vocal combination to introduce the various numbers. The device is fairly handled and fits in neatly with the style of the program.

Word.

Edgar A. Thompson, radio editor of The Milwaukee Journal, left Sunday for a month in Hollywood.

YOUTHBUILDERS

With Mrs. Eleanor Roosevelt, Mrs. Elizabeth Sutherland, Louis Child, Daniel Landy, Robert Leland, Radio 800
12:30 p.m.—Local
WABC-CBS, New York

Mrs. Eleanor Roosevelt, who takes an active interest in various youth activities, was guest speaker Wednesday (11) at the Forum Award luncheon given at the Marlborough hotel, N. Y., by Youthbuilders, an outfit for management, education and guidance of the young. Her topic was "How to Be Prepared to Live in a Democracy." Bulletin of the program was the presentation by the kids of awards when they had voted for the radio series. Book, film and magazine which had time read in help children of New York City understand how democracy works.

Whole affair was definitely informal. And, apparently for that reason, there was no way of holding it to schedule, as the part to be broadcast ran about 10 minutes short of the expected half-hour, with studio music filling in the amount time. First Lady was already speaking when the session came on the air. Her remarks, which seemed to be extemporaneous, were an easily-grasped explanation to the youngsters of some of the aims, responsibilities and obligations of citizenship in a democracy. Intelligent and pertinent, without being preachy.

Mrs. Elizabeth Sutherland, Youthbuilders' secretary, then took over and introduced the four jury speakers who made the awards. In a fairly humorous but not patronizing manner, and with pleasant voice and diction, Mrs. Sutherland drew out the kids, yet kept them from stalling or becoming wound up. Remarks were unanimously roasting their spits, but the fact wasn't objectionable. Louis Child made the radio award to "Cavalcade of America." Daniel Landy gave the book award to "Green of Wrath." Robert Leland handed the film award to "Smith Goes to Washington" and Mrs. Child presented the magazine award to Life.

According to the dope, the selections were the kids' own, and in each case they gave their reasons for their choice. Actual production was shoddy, with irritating background music clearly audible through the speakers and obviously shoddy preparations for the pickup. But the program was an interesting and valuable lesson on what the youngsters actually like in radio, in contrast to what psychologists and educators think might be good for them.

Word.

ERIKINE BUTTERFIELD

With the Radio-Phonograph
Radio 800
12:30 p.m.—Local
WABC-CBS, New York

Erkine Butterfield is usually on alone with his tattered and expert planning, but once Saturday he's surrounded by WGB studio musicians on the scene for a hot jam session. At this particular evening the fare was well varied, alternating Butterfield's vocal, backed by his own keyboard work, with driving rhythms from the orchestra.

However, the material used by the beach sidekick was a real solid impression until the finale "I Got Rhythm" flagged it with a clear track. Its opening "Daisy Polka" lacked real punch and enthusiasm. Butterfield's vocals create a likable reaction.

Word.

WBAL
means business
in Baltimore

Lively
Showmanship

WINS LARGER AUDIENCES

in the
**INTERMOUNTAIN
MARKET**

FOR

KDYL

POPULAR

NBC
RED
NETWORK

JOHN BLAIN
& COMPANY

'THE O'NEILLS'

LISTEN TWICE DAILY

NBC Red Network, 12:15 to 12:30 P.M., EAST

IN . . . 3:30-4 P.M., EAST
COAST TO COAST

DR. CURPENE ADVERTISING AGENCY
WGT. ED WOLF—RKO BLDG., NEW YORK CITY

RADIO BOXOFFICE REPORTS

Baltimore

(WBAI, WCAO, WCBM, WTSP)

Week Ending	Network	Local	National	Total
May 11	1,700	1,800	2,100	5,600
May 4	1,500	1,700	2,000	5,200
% change	-12%	+11%	+10%	+8%

Local and national spot continuing to climb, helping total sales to a gain despite weather drop in network stuff. But better than same period last year, and prospects for coming weeks are promising.

WTSP, trading with Charles Cigarette for Warwick & Legler, drew some additional announcements this week along with a rather unusual order to place spots extra late after any program was being broadcast through the day or night. Station stayed on air all night Wed. and Thurs. (4-8) with considerable listening audience reported tuned in.

Chicago

(WBBM, WENR, WGN, WND, WJJD, WLA, WMAQ)

Week Ending	Network	Local	National	Total
May 11	8,500	1,100	10,000	19,600
May 4	8,000	1,200	10,100	19,300
% change	+6%	-9%	-1%	+2%

No change.
Little action continues in the Chicago radio picture, with business good and announcements little change in content schedule. Couple of announcements and a couple of local 15-minute spots dropped, but otherwise the trend is steady. Biggest headache last week was not business but the fact that were being kicked in the schedule by war babies, especially true on the network owned and operated stations which were being ripped by war babies out of New York headquarters, with the local stations accepting these new visitors as graciously as possible.

Cincinnati

(WCPC, WERC, WLW, WSAI)

Week Ending	Network	Local	National	Total
May 11	4,400	4,100	3,800	12,300
May 4	4,000	3,800	3,700	11,500
% change	+10%	+5%	+3%	+7%

Network decline last week was everyone's advance in local and national spot accounts, giving a weak rise in total.

WCPC announced Felt Rights for sponsorship of its long-running Train Time status, lately tagged for Curlew gunline. Program, Monday through Saturday, originates in the Union Terminal and has the station's Paul Hedges interviewing guests through. Soap firm took the series for 12 weeks.

WSAI added announcement orders the Lefebvreville Lake, nearby summer park; Dudley White and Harold Burton, U.S. senatorial candidates; and Melroy & Carey, department store.

WERC's new accounts include Habley & Carey department store on spots, and the Andrews Steel Co., Newport, Ky., as initial advertiser of a Friday night 15-minute article in Overalls series, with other local industrial concerns lined up for separate sponsorships. This station renewed Chrysler-Flynn's dealers of Greater Cincy and the Fifth-Third Union Trust Co. as co-sponsors of the Down Patrol morning 10-minute slot, daily except Sunday.

Denver

(KFEL, KLE, KOA, KYOD)

Week Ending	Network	Local	National	Total
May 11	1,200	4,300	1,800	7,300
May 4	1,100	4,300	1,800	7,200
% change	+9%	-2%	-6%	+1%

KOA new business includes Union Pacific R. R. through Caples Co., 15 min., daily except Sun., 12 weeks; Flaks, Inc., through Radio Prod. & Rec. agency, 30 min., once weekly, 12 weeks; Gilbert Tins Co., through Raymond Keane agency, 15 one-min. spots; International Harvester Co., through Ashby, Moore & Wallace agency, 15 announcements; Speer Flour, through Wicks agency, three announcements; King's Luggage, through Robertson agency, announcements.

KFEL new business: Harts Mountain Products, through Geo. H. Hartman agency, 15 one-min. periods; Rader Brewing Co., through Buchanan agency, three chain breaks weekly; Ashton Motor Co., 15 announcements; and a similar sale to Gunt Manufacturing Stores, Miller Farm, Ray Jones, Northwestern Loan Co., J. T. Union Renovating Co., Silver Seal Products, My Esther Beauty Salon, and Metropolitan Theater.

Des Moines

(KENT, KSO, WHO)

Week Ending	Network	Local	National	Total
May 11	1,300	1,200	4,800	7,300
May 4	1,300	1,100	4,800	7,200
% change	+13%	+13%	-13%	+1%

Several new biz on Des Moines stations:
KENT—United Drug Co., through Spitt Broadcasting, four quarter-hours; General Motors Acceptance Corp., through Campbell-Ewald, announcements; P & O Products Co., through Sam Gallagher & Brown, announcements.

KSO—Pepsi-Cola, through Newell-Bennett, half-hour weekly; Brady Motors, through J. Sirling Getchell agency, 15 min.; H. E. Burman Co. (Crosley distributor), through Bedford agency, daily newsmag. Western Union, through H. A. Wicks agency, announcements; American Chemical Co., direct, 30 one-min. spots; Sterling Products, through Blackett-Sample-Hammett, 15 announcements daily.

WHO—J. C. Poney, through Phillips & Ryan, renewal of 10 quarter-hour "Adopted Daughter" show; Ad-Year Club of Central Iowa "Adopted Daughter" show; Ad-Year Club of Central Iowa, through Lord & Thomas, 15 one-min. ET's; General Mills, through Kane-Reeves, 12 half-hour baseball broadcasts; Moss, through Fry, and full game on Sat.; Associated Press Products, through Fairall & Co., nine 45-word announcements; Prime Mfg. Co., through Hoffman & York, 18 announcements; Gardner Nurseries, through Northwest Radio Ad., 15 one-min. periods; Farmers Mutual Nat. Insur.

HOW UNITS ARE FIGURED

Dollar volume is omitted from these reports. In. ins. are the breakdown of individual stations. Grouped market figures only are given.

One minute of commercial time is figured as one unit. That a sponsored hour is 60 units, a half hour 30 units, and so on. Chatspeak, time signals, spot announcements in participation programs are counted as one unit each.

over Ann's, through Fairall, 26 announcements; Roycraft Iron Co. (Phillips), direct, 20 45-word spots; Smith & Co., through Black-Gold, 20 one-min. ET's; International Harvester, through Ashby, Moore & Wallace, 15 announcements; Calif. Fertilizing Co. (Del Monte Foods), through McCann-Erickson, 24 announcements; Bathurst Co., through H. M. Kiewit, 15 quarter-hours; H. B. Green, four 15-min. political broadcasts; United Food Markets, through Wallace agency, four quarter-hours and 15 announcements.

Detroit

(CKLW, WJBL, WJR, WMBC, WML, WXYI)

Week Ending	Network	Local	National	Total
May 11	8,300	11,100	4,600	24,000
May 4	8,300	11,100	4,600	24,000
% change	-1%	+1%	+1%	+1%

Big virtually at standstill, with loss in network stuff being offset by slight gain in local category; result being almost a standstill in the total units volume for two weeks under review.

Clark of new biz at WJBL, mostly in the national spot category. Dr. Lyons tooth powder is backtracking Elliott Rumor's waded chatter three weeks for 15 minutes each. Number of national advertisers are carrying on spot campaign daily on WJBL's pop-music program every afternoon; following sponsors provide total of 18 announcements on 15-hour show: Dr. Lyons, Phillips Milk of Magnesia, Bayer's Aspirin, Genderson, Glaxo, Multivitamin, and California Syrup of Figs. Blackett-Sample-Hammett placed all accounts.

Air Conditioning Institute has started sponsorship of Mountain Pete and His Gang (Billboard) over WJBL for 45 minutes per week. Come's Clothes, Detroit, has increased its daily show over WJBL from 45 minutes to full hour; using both live talent and recorded music.

Hartford

(WDBC, WHTE, WTK)

Week Ending	Network	Local	National	Total
May 11	1,600	1,800	1,200	4,600
May 4	1,600	1,800	1,200	4,600
% change	+1%	+1%	+1%	+1%

Kansas City

(KCMH, KCMO, KITE, KMBC, WDAF, WRB)

Week Ending	Network	Local	National	Total
May 11	8,200	8,800	8,700	25,700
May 4	8,200	8,800	8,700	25,700
% change	+1%	+1%	+1%	+1%

Nothing startling among key accounts during past week. Changes are practically negligible, but national spot biz made very gains at each station. Other departments maintained their standing as of last week almost in the point. On this basis, the looked-for summer fall is taking its time in showing up, but not figured to set in in earnest until June 1 or later.

Los Angeles

(KECA, KFI, KFWR, KMJ, KNBC, KNX)

Week Ending	Network	Local	National	Total
May 11	10,700	11,400	1,300	23,400
May 4	11,300	11,200	1,300	23,800
% change	-6%	+1%	-1%	-2%

Decline in network units put L. A. again in the minus column on the week's total. Local trade showed a slight pickup, but the differential in all departments was not unexpected due to what looks like an early summer. KNX sales chart showed several new accounts, viz. Alaska Pacific Salmon Co., 18 participations in the Fletcher Wiley Combination, through J. William Shreve; Day and Night Water Heater Co., 143 participations in the Wiley Combination, through Brown-Edwards; Longmiller Bakeries, 15 time signals, through Lane Livingston; Studebaker, nine quarter-hour Richard Hinder programs, through Radio, William & Company; Stein's Clothing, 26 five-minute newsmag. through Rich, Bernstein & Associates; California Spray Chemical, 21 daytime announcements, through Long Adv. Bureau; Schuch Chemical, 147 participations in Wiley Combination, through Brown-Edwards; Richman Felt, 13 five-minute newsmag. through Grace Glaser; A. H. Bude service station, 18 participations in Wiley Combination, through Continental.

New York City

(WBB, WMCA, WNEW, WOR, WQXR)

Week Ending	Network	Local	National	Total
May 11	700	8,800	15,400	24,900
May 4	700	8,800	15,400	24,900
% change	-	+1%	+1%	+1%

No change.
New York's spot biz continues to soar, with network and local showing little change.

Columbia's Bakeries are now using 21 quarter-hour a week on WBB. Early Bird "Don Bryan's Beer" and "Honey-wine" from are six times weekly, and Tully's New Tasty Bread, five times. Campbell-McCann placed. Other new biz on WBB: Policy Holders Advisory Corp., six quarter-hours weekly, 12 weeks; Gardner Nurseries, through Northwest Radio Advertising, six 5-min. spots.

WNEW added Canadian Fur Trappers Corp. direct, with

28 quarter-hours weekly, 12 weeks; East Coast Photography Distributors, 120 announcements.

WQXR: Felt & Co., through Young & Rubicam, two quarter-hours weekly on Line Service's Column of the Air; Columbia's Bakeries, through Samuel C. Croft, seven announcements weekly.

WMCA: Krone Beer, through Park Adv., 12 one-min. ET's weekly; Friday Magazine, through H. C. Myers, six 5-min. newsmag. Columbia, through Samuel C. Croft, 18 announcements weekly; Fort Hill Terrace (real estate), through Jorgensen advertising, 16-word announcements; Martin's Furniture, 5-min. newsmag. and 16-word announcements; Howard Radio Co., through Turner agency, announcements; Fendley Farm, through J. S. Squire's agency, announcements; National School, through Huber Hage, participation in "World's Fair Music"; Devere City Radio, through Moore & Cullen, 18 announcements weekly, 12 weeks; Frome Loh (Columbia), through Harvey Brown, participation in "Live and Wire".

Salt Lake City

(KUTV, KSL, KUTA)

Week Ending	Network	Local	National	Total
May 11	4,300	2,800	1,300	8,400
May 4	4,300	2,800	1,300	8,400
% change	-1%	+1%	+1%	+1%

National spot climbed to record high, due mainly to KUTA's play-by-play baseball for General Mills and Goodrich. KUTA's national spot and local biz showed a gain for the fourth consecutive week, topping all of its previous figures in these categories since start of index.

KSL added Michael Citrus Products, through Charles S. Mayne Co., three 1-min. periods weekly; Dapier Fur Co., quarter-hour weekly, and announcements for W. H. Blinn Co. through R. T. Harris agency; Southwest Jewelry Co., Utah Theater and Lyman Motor Co.

Fisher Baking Co. increased its schedule on KUTA and now runs two quarter-hours daily. Latest show is 15-min. "Penny Jean Health Club". Other KUTA new biz includes Armstrong Engraving Co., announcements; Dr. E. E. Keller, announcements; Northern Oil Co., announcements; Del-Ray Ice Cream Co., 1-min. newsmag.; Jacob Wood Co., 5-min. periodic; M. & M. Nye Eatery, 12 one-min. spots; Dapier Fur Co., announcements.

San Antonio

(KABC, KMAC, KONO, KTTA, WOAI)

Week Ending	Network	Local	National	Total
May 11	4,700	1,400	1,300	7,400
May 4	4,700	1,400	1,300	7,400
% change	-1%	-1%	-1%	-1%

No change.
KABC added quarter-hour weekly "Musical Spotlight" for Edwin Cramer Co., Smart Beverage Co., announcements; Book Distributors, through Axel & Axil, six 15-word spots daily; Star Finishes Co., direct, 30-word announcements; Union Auto Parts Co., direct, 10-word announcements.

WOAI's new biz includes California Parking Co. (Del Monte Pineapple Juice), through McCann-Erickson, daily announcements; Lone Star Brewing Co., through Curry agency, 12-week renewal of four announcements per week; Black Cat Cafe, direct, 20 announcements; Catalina Island, through Neuman-Meyerhoff, 20 announcements; P. Leffland (Friends Tobacco), through Lennex & Mitchell, 12-week renewal of "Arthur Godfrey" transmitted quarter-hour; Gulf Oil, through Young & Rubicam, "Jack Birch and His Gang" show, twice weekly.

San Francisco

(KPBC, KGO, KJBB, KPO, KSF)

Week Ending	Network	Local	National	Total
May 11	8,400	1,100	1,700	11,200
May 4	8,400	1,100	1,700	11,200
% change	+1%	-1%	-1%	+1%

Gardner Nurseries using from Fresno station; eight weeks' participation on the KPO and KGO "Musical Club," daily except Sunday; Fox five-minute ET's over KSF, and 23 five-minute spots on KPBC. Northwest Radio Ad. placed.

KPO biz includes Lark, Inc., through H. C. Myers & Co., renewed twice weekly ET's; United Drug Co., through Street & Finney, sponsorship of "Herald Magic Hour," a quarter-hour ET; Hale Brothers, through Theo. H. Segall, renewed 12 announcements; Lyon Van & Storage, through Charles H. Mayne, 18 announcements; Furman & Clark (men's clothing), through Martin Allen, 48 weather reports; Mutual Citrus Products (sponsored from June), through Charles H. Mayne, 12 five-minute programs.

Regal Amber Brewing Co., through M. E. Marlan, renewed "Regal Ambers" for 11 weeks over KGO. Program features Herb Carr, columnist.

KSF added Longmiller Bakeries, through Lane Livingston, five announcements; and the Democratic State Central Committee, for five-minute ET's.

KYA sales include Ross Bros., through Lord & Thomas, three weekly programs; Christian Business Men's Committee; T. F. Ormond Co. (Dodge distributor), through Ruttersoff & Ryan, announcements; Burgess Realty Co., played direct, weekly quarter-hour; Lydia Fickham, through Brown-Wacey, broadcast announcements.

KPBC contracts include Lydia E. Pinkham, through Brown-Wacey, 10 one-minute ET's; Blue Ribbon Book Corp., through Northwest Radio, 18 five-minute spots; Longmiller Bakeries, through Lane Livingston, 18 25- and 100-word announcements; California Macaroni, through Rader Rhodes, 26 100-word announcements on "Breakfast Club"; Smith & Co. (ice cream), through Black-Gold agency, 18 one-minute ET's; Cafe Food Products, through Theodore H. Segall agency, renewal of "Pet Exchanges" Sunday quarter-hour show; Pen-Jel Corp., through David Moffat agency, 20 participations in "Morning Market".

Seattle

(KING, KJR, KJZZ, KKA)

Week Ending	Network	Local	National	Total
May 11	4,500	8,700	800	14,000
May 4	4,500	8,700	800	14,000
% change	-	+1%	+1%	+1%

Luckies' Acceptance of Publisher Objections Raises Point If Hit Parade Is to Be 'Endorsed'

Board of directors of the Music Publishers Protective Association will be asked at a special meeting this afternoon (Wednesday) to reconsider the new data-collecting methods devised by Lucky Strike for its "Hit Parade" (CBS) and also to pass on the company's request that the MPPA furnish it with a weekly sheet music best-seller list based on publisher distribution. The American Tobacco Co. and the Lord & Thomas Agency, which handles the "Hit Parade," have been for weeks discussing with Walter Douglas, MPPA chairman, ways and means of improving the survey upon which the Lucky listings are based so as to avoid further complaint from the music publishing industry.

Publishers have periodically attacked Lucky's numerical listing of hit tunes as unfair and unimproved. Following Douglas' approach, the American Tobacco Co. and the agency undertook to re-examine the various components of the survey, such as network plugs, sheet sales, phonograph record sales and requests made of band leaders. Under the proposed revised system, which American Tobacco insidiously furnishes a better statistical sample, more weight would be given not only to sheet music, but to tunes in unoperated record machines.

It is expected that the MPPA directors will inquire whether the furnishing of the weekly list of best sellers, as compiled from wholesale sources, will put the association in the position of officially approving Lucky's ratings. Also whether this form of cooperation will preclude the publishing industry from further criticism of the bases for the Lucky listings. It makes the first time that a network commercial and representative of the music industry have undertaken to solve a mutual problem and the indications are that the Lucky Strike situation will be amicably smoothed out in short time, if not at today's meeting.

Kennyswood's Touring Hands Are Lined Up

A batch of some hands lined up for Kennyswood Park here this summer, most of them pencilled in for two-week stretches. Exceptions at Mitchell Ayres, who opens season Friday (17) and will stick for only eight days. Among other units already set for open-air dance pavilion at county's No. 1 amusement spot are those of Tiny Tim, Mai Hallett, Lou Brown, Jimmy Walsh, Ben Young and Johnny Long.

In addition, number of other units will come in for one-night stands. So far these include Glen Gray, Al Duane, Ozzie Nelson and Jimmy Dorsey.

KAY KYSER'S SNACKO

Fox, St. Louis, Ground \$42,000; 50-50 Sharing Terms

St. Louis, May 14. The one-week stand of Kay Kyser, at the 1,000-seater Fox, ending Thursday (15) broke all house records by grossing \$42,000 from 127,171 customers. Take topped the previous high of approximately \$37,000 hung up during the one week engagement of Al Pearce in April, 1939. Because of rain at his Kyser did five shows on the last day and brought to 22 the number given during this run.

At 9 p.m. Wednesday (13) when the new record was achieved Harry C. Arthur, v.p. and gen. mgr. of Fox and Marcus, stopped the show to present Kyser with a silver "Oscar" mounted on a red velvet base. A plate at the base was inscribed, "Best office supremacy awarded to Kay Kyser for his St. Louis engagement which shattered every attendance record in the history of the Fox and Marcus Fox Theatre, St. Louis, May 1 through 14, 1940."

During the local stand Kyser, who worked on a 50-50 basis of the gross, transferred in his weekly Lucky Strike broadcast at the Municipal Auditorium. A police motorcycle squad escorted him from and back to the theatre. After leaving here Kyser played one night engagements in Peoria and Chicago and reached Los Angeles today (Tuesday).

CHANGES ITS MIND

New Yorker Hotel Not to Shut Doors Monday Night

New Yorker hotel, New York, has changed its mind and will not close doors entirely on Monday night, the evening the Larry Clinton band was originally scheduled to have off. Instead the hotel continues the Monday night off policy for the main band and brings in a substitute for that evening.

Post Sunday (13) and the evening week (15) the replacement was and is Art Pascher's orchestra.

MASS. REP WOULD CLIP INFRINGEMENT DAMAGES

Washington, May 14.

New effort to reduce the amount of damages for infringements of copyright in musical compositions played by hotel orchestras and similar groups was made last week by Rep. Charles R. Clason, Massachusetts Republican. Reduction from the present \$250 statutory minimum to not more than \$10 for each performance—unless greater damages are shown—was proposed by the Bay State legislator. Clason introduced an amendment to the copyright bill, covering hotel and restaurant music where an entrance fee is charged.

No action on revision of the copyright act is anticipated this year because of the short period remaining before the close of the current session of Congress.

Broad Shows, New York, setting aside a block of 300-400 seats Sunday morning (15) for Benny Kaye's Swing and Sway Club members. Kaye opens at the house Friday (17).

Bands' Big B. O.

Continued from page 1.

have kept stage slight. The accompanying figures are the exact grosses of both theatres. Only the spotlight drawing band-and-dim grosses are broken down; anything \$50,000 or above at the Fox and grossed at \$40,000 and over for the Strand.

It's significant that the Broadway Fox, in December, 1939, grossed a meagre \$18,000 in "Carnegie" under its then stage-lau policy. With "Bride Comes Home" and Glen Gray and the Casa Loma orchestra inaugurating the new bandshow policy the following week, the gross shot up to \$51,000, a healthy profit.

The Warner Bros. Strand likewise, with many a gross under \$10,000, with straight films, entitled Ben Bernie as the debut band with "Boy Meets Girl" in August, 1939, and business started improving immediately.

Due to the differences in house capacities, plus the fact that the Paramount has a larger jacket lobby and one better handle overflow crowds, dancers, waiters, et al., the Fox's breakdown of top grosses commences at \$10,000. The Strand is comparatively as big when enumerating the top bandshow shows starting from the \$10,000 bracket, and upwards.

In its four and half year operation with pit-band shows, the Fox has had a total of 48 weeks where the gross was between \$10,000 and \$20,000, making a grand total of 73 for this house where the receipts have exceeded the \$40,000 mark.

In many cases the \$40,000 has been hit or topped in several weeks, in some instances third stanzas, while in other instances somewhere between \$40,000 and \$50,000 have been struck on initial seven days of attractions.

Fox, Toledo, May Go Bandshow

The Paramount, Toledo, is mulling the idea of a stage band policy, but whether or not it will be instituted as a regular diet this summer or early in the fall is problematical.

House, operated by John Belknap from Chicago, has been using stage shows one and then.

The record is as follows:

PARAMOUNT

On Screen	On Stage	Date	Gross
"Bride Comes Home"	Glen Gray	Dec., 1939	\$50,000
"Destiny"	Little Jack Little	April, 1939	\$1,000
"Big Broadcast of 1937"	Clyde Lucas	Oct., 1939	\$2,000
"College Holiday"	Glen Gray	Dec., 1939	\$4,000
"The Palm Beaches"	Ray Noble	Jan., 1937	\$6,000
"Head of Steam"	Benny Goodman	March, 1937	\$6,000
"Waikiki Wedding"	Eddy Duchin	March, 1937	\$7,000
"Swing High, Swing Low"	Louis Armstrong	April, 1937	\$8,000
"They Lived"	Emory Domark	July, 1937	\$4,000
"Arrows and Husbands"	Phil Spitznagel	Aug., 1937	\$4,000
"Double or Nothing"	Shay Fields	Nov., 1937	\$1,000
"Fish Tide"	Benny Bergin	Nov., 1937	\$1,000
"Wells Fargo"	Fred Waring	Dec., 1937	\$1,000
"Every Day's a Holiday"	Benny Goodman	Jan., 1938	\$3,000
"The Boatmen"	Clyde McCoy	Feb., 1938	\$3,000
"Hushhush's Eighth War"	Ray Lombardo	March, 1938	\$3,000
"Spurs of the North"	Eddy Duchin	Sept., 1938	\$1,000
"I'll Wear King"	Tommy Dorsey	Oct., 1938	\$1,000
"Midnight"	Tommy Dorsey	April, 1939	\$1,000
"Honeycomb in Half"	Glen Miller	Sept., 1939	\$1,000
"Cat and Canary"	Jan Savitt	Nov., 1939	\$1,000
"Collier's Travel"	Glen Gray	Jan., 1940	\$1,000
"Seventeen"	Glen Miller	Feb., 1940	\$1,000
"Head in Singapore"	Tommy Dorsey	March, 1940	\$1,000
"Bank Benny Bides Again"	Gene Krupa	April, 1940	\$1,000

STRAND

On Screen	On Stage	Date	Gross
"The Sisters"	Horace Heidt	Oct., 1939	\$17,000
"Angels Dirty Faces"	Ted Lewis	Nov., 1939	\$17,000
"Brother Rat"	Al Duane	Nov., 1939	\$17,000
"Down Patrol"	Al Duane	Dec., 1939	\$17,000
"Wings of the Navy"	Artie Shaw	Feb., 1939	\$17,000
"My Darling Daughter"	Kay Kyser	March, 1939	\$17,000
"Oklahoma Kid"	Will Osborne	March, 1939	\$17,000
"Dodge City"	Guy Lombardo	April, 1939	\$17,000
"Continental Nazi Spy"	Fred Waring	May, 1939	\$17,000
"Jazz"	Patricia Bond	June, 1939	\$17,000
"Daughters Courageous"	Sammy Kaye	July, 1939	\$17,000
"Each Dawn I Die"	Eddy Duchin	July, 1939	\$17,000
"The Old Maid"	Horace Heidt	Aug., 1939	\$17,000
"The Old Maid" (4th wk.)	Ozzie Nelson	Aug., 1939	\$17,000
"Don't Be My Destiny"	Ted Lewis	Oct., 1939	\$17,000
"Roaring Twenties"	Bob Crosby	Nov., 1939	\$17,000
"Four Wives"	Al Duane	Dec., 1939	\$17,000
"Fighting With"	Paul Whiteman	Jan., 1940	\$17,000
"Dr. Ehrlich"	Tommy Tucker	Feb., 1940	\$17,000
"Virginia City"	George Olsen	March, 1940	\$17,000

* First week. † Second week. ‡ Third week.

COLLEGE RHYTHM

The second of a series of articles on collegiate life and studies in regard to dance music and dance bands.

The writers, staff members of publications at their respective schools, have been asked by VARIETY to give the opinion of the student body as to whether or not they favor the use of dance music in their institutions as to what was to be said or done. These articles appear as the underpinnings have written them, with the expressed opinion being their own.

VARIETY publishes the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has to say about dance music is deemed important to the trade. This is a continuation of a series originated by VARIETY in 1935.

U. S. C.

By Lee Goodman, '40

(U. of So. California 'Weekend')

Los Angeles, May 14

Being situated next door to Hollywood, the University of Southern California is frequently governed, whether it likes it or not, by the movie industry's strange and wonderful traditions. One of these traditions, as every would-be actor knows, is that to break into the movies one has to be discovered in Poland or Brooklyn or some such place—anywhere but Hollywood. Inasmuch as musicians have as little against juggling up an extra bid or two in the Bickers as the next guy, it would seem logical to suppose that most of the first class orchestras are avoiding this region in the hope of being "discovered."

In any event, U. S. C. students don't feel too happy about the sort of bands now appearing in these parts. Occasionally a right organization does come along—Benny Goodman is at the Comstock Grove now, after a hectic season of that Kentucky kernel, Guy Lombardo—but usually we have to suffer along with such lunkys as Jan Garber, George Hamilton, Chuck Foster and, of all people, Phil Harris, who is in the Jaffe but not the outflow side. Harris, by the way, has with philosophical resignation to the facts taken to referring to himself as "Corny Joe," and he ain't lying. Anyone who thinks his efforts on the Jack Benny program are tired should listen to him at the Wilshire Bowl. Current theory has it that he plays all his numbers backwards.

Skinner Enns got quite a hand when he played at an assembly not so long ago, but one is inclined to suspect that his popularity was based more on relief at not hearing a harp from some member of the faculty than on Skinner's own intrinsic merits. About the only thing his band has to recommend it is a vocalist named Carmine, who somehow contrives to do a strip-tease without taking off her clothes. Bob Crosby is his only appearance on campus made a big impression. Immediately thereafter, however, he departed for the east and hasn't been in God's country since. What connection there is between his visit to U. S. C. and decision to star away from Southern California is not known.

Nostalgia is OK, But—

Currently appearing at the Beverly-Wilshire is Gus Arnheim, who arouses conflicting memories. While many Trojans look back with nostalgia on his appearance at the Grove with Ring Crosby, the Rhythms Boys, Donald Noris, Harry Harris, Lynn Whitman, et al., they also remember with disgust the time he showed up at an S. C. Junior Prom with a life. It read contrary of eggs who resembled like they were trying to sabotage the musician union, and the result is that since his arrival the Bev is a quieter place than the library for doing one's homework.

By comparison with such bands as most of the above, the occasional good orchestra that do show up sound terrific. Ray Noble, for instance, raised quite a stir, as did Horace Heidt and Ray Kyser. Much of their popularity, it is true, was probably based on the type of music they play. The S. C. students are agreed to a man that jitterbug jazz is more to be scorned than pitied. Perhaps the best is responsible for this on a hot night when you appear to the garden in all one outfit after you've danced a bunch of hot ones, you really sit it out. But even the juke houses in the various campus eating places, as well as the selection of discs to be found in the sorority and fraternity houses, indicates that Trojans and Trojans like "sweet swing," if that means anything—not too fast, not too loud, and if possible, approximately the original tune.

A survey of the records most often played shows Glen Miller, Tommy Dorsey and Glen Gray to be the favorites, in about that order. Of the vocalists, Ring Crosby is by all odds the favorite. Constance Bennett Malara good for a 3c investment, and Dick Todd sometimes cracks through. Donald Baker, or rather "Oh, Johnny" hung on for a surprisingly long time, but everyone seems to have recovered by now, and Orrin Tucker attracts about as much attention as would a Democratic rally in Vermont.

Being Not Totally Forgotten

Swing, to be sure, is not completely forgotten, though the occasional hot disc that find popularity seem to be regarded more as curiosities than anything else, and when a Prom band starts to get in the groove the dancers get on the move. In some weaker moments Charlie Barnett, Jan Savitt and even Count Basie attract approving attention.

The radio has little effect on S. C. student opinion in regard to bands. Waring's Pennsylvania sound good, though that college class meter writing gag leaves most S. C. students puzzled. John Scott Trotter's efforts on the Crosby show are generally pleasing, and an attempt was made to get him for the last Junior Prom. The price he asked, however, led to the conclusion that he had mistaken his merit with his weight, and so instead the Prom committee got Alvin Karp, whoever he is, and a variety of archbishops. Most couples arrived at the dance, picked up their archbishop, listened to the band for a moment, and then went out and got quietly lit. Horace Heidt suffers from his appearance on that Pot of Gold business, most students feel, and many agree that humanity would be a lot better off if Heidt would take his male vocalist out and drown him.

Though they are quick to criticize, however, Trojans are also quick to support a good organization, and if G. Miller, T. Dorsey, or G. Gray will please come back, all will be given.

(Next Week: PM)

PROTESTS HEARD

ASCAP Board Considers Complaints of Bregman, Agee Firm

Publishers availability committee of the American Society of Composers, Authors and Publishers issued Monday (13) its ruling protests of Bregman, Venns & Co. and Agee, Telford & Bernstein. The availability standstill of both firms have been subjected to huge reductions during the past year.

The committee has undertaken to analyze all publishers' catalogs with a view to making drastic changes, if necessary. Weekly meetings are being held so that ample time can be applied to the task.

Nelson, Minton outfit into Hotel Henry, Pittsburgh, for indefinite stay, succeeding Billy Melt's band.

Jack Hess With NCA

Chicago, May 14

Jack Hess, former advertising chief of RKO theatre circuit, has joined Music Corp. of America as proxy department head for national out of the Chicago office. Replaces Bill Owen.

National Tea's 'Cartune-O'

Chicago, May 14

Schwitzer & Scott agency here has revealed the National Tea company, with Gordon St. Claire as its account exec.

Agency starts a new spot program on WGN for the account. New show will be known as "Cartune-O" and replace "Musical."

WARNERS' BURNUP AT MCA

NO SENSE FOR \$

On page one, this issue, it is clearly indicated that the vigor of music dance bands has been vandeille's life-saver. On this page, however, the chronicle of the Warner Bros. vs. Music Corp. of America dispute tends to indicate that vandeille is living only on borrowed time.

The practice of an agency playing both ends against the middle in order to raise salaries is an old one—also ruinous to the long run to both the theatres, talent and the agency. No one can survive excessive costs and there's no better evidence to substantiate this than the Palace, on Broadway, now in double features.

Whose version in the WB-MCA fracas is correct does not matter so much as the indication that MCA is wrong either way. If, as MCA contends, WB's New York Strand failed to deliver to Orrin Tucker, per alleged promises, 'All This and Heaven Too,' starring Bette Davis and Charles Boyer, then MCA virtually condones the band's low pay. Any stage attraction getting Orrin Tucker's salary should be able to hypo a theatre's gross even if only getting a newspaper as pellucid companion, much less one of WB's strongest marquee pictures of the year.

If, on the other hand, WB's claim is true that MCA drew the Paramount into competitive bidding, then MCA is clearly guilty of being penny-wise and pound foolish by undermining theatres' ability to continue their stage show policies. Theatres normally pay bands double and treble the salaries they get in hotels and cafes. Huddling them up for even more by artificially stimulating competitive bidding means crippling the golden goose before the final execution.

The story of the WB-MCA dispute can best be skinned from the figures. WB claims, and MCA admits, that the offer for Tucker with Bonnie Baker at the Strand called for a four-week run at a total \$35,000 salary (not \$45,000 as at first contended). This is broken down to \$8,750 weekly. Paramount finally got the combination for a three-week run at \$30,000, or \$10,000 a week. It's also significant that the Paramount claims it has made no promises to MCA as to what picture will play the house those weeks.

One solution for theatres on the high salary problem with bands is to play them on percentage. It's actually the only way that bands and acts in the very high brackets can prove their worth.

It certainly is out of line for a stage presentation to demand a very high salary on one hand, and on the other admit that it's really the picture that counts at the box.

SCHOOL BANDS ISSUE BEING ADJUSTED

Schenectady, N. Y., May 14.

Endorsement of the action of executive board of New York State Conference of Musicians (AFM) in instituting an agreement with the Band Teachers' Association of the State regulating activities of high school bands in competition with union men, was voted at the annual convention held in Schenectady Saturday and Sunday. The vote of either side assumes what is to be considered competitive and non-competitive work.

For several years, the union musicians sought by regulation to restrict the activities of high school bands and orchestras. However they could not push the bill through due to opposition by boards of education, school boards, etc. Problem has become acute, both in New York City and upstate, with decrease in regular employment for card-playing instrumentalists and the marked increase in number of school bands.

Leo Chisman, assistant to Joseph Weber, president of AFM, was principal speaker at convention. Ralph W. Erskine, head of Troy Local 12, was elected conference president for third consecutive term.

Demery's 200 Fire Damages
Schenectady, N. Y., May 14.
Demery's at 210 Bleecker Street burned last week with loss set at \$20,000.

Raymond Scott Revises His Road Intentions

Raymond Scott's new band will be ready to pick up its first one-night stand the beginning of next month. Originally Scott was to use the CBS studio men which make up his full-time radio band and play only in the eastern territory, which wouldn't take the men too far from CBS. However, prospective dates in middle west convinced him to form an entirely new group.

His personnel is not definite yet.

Ted Lewis to Morris Agcy.

Negotiations have almost been completed for the William Morris Agency to take over management of the Ted Lewis band, after more than eight years of free lanceing by Lewis under Milton Pickman. During the past five years Lewis was one of the few bands whose bookings were not direct. Pickman handling theatre, one-nighter, etc. deals himself. Prior to that the work was sold by which ever agency came up with the best offers.

Parting was an amicable one. Pickman also handles Larry Clinton, currently at the New Yorker Hotel in N. Y., and Sleep Fields.

Bob Weems Roaming

Bob Weems has become a roaming representative for the General Amco Corp. He's now drumming up business around the Cincinnati territory. After a while the company will establish a branch in that city.

Weems was formerly in GAC's home office in a supervising capacity.

LATTER DENIES DOUBLEGROSS

Joseph Bernhard Furious as Orrin Tucker-Bonnie Baker Go Into Paramount After Long Dickering for Strand, New York

PEEVE MAY HURT

Joseph Bernhard, general manager of Warner Bros. theatres, last week notified the Music Corp. of America in a heated letter that henceforth no MCA bands, acts or other attractions would be booked by WB for its houses anywhere. Bernhard's action was the result of what the circuit considers a 'double-cross' by MCA on the booking of Orrin Tucker's work with Bonnie Baker away from the Strand into the 'opposition' Paramount, New York, and a similar procedure in the spotting of Horace Heidt's band into Loew's State, also opposite to WB's Broadway land-show house.

Warner's brands as false the report that the Tucker-Baker deal fell through because the band couldn't get 'All This and Heaven Too,' starring Bette Davis and Charles Boyer, as a four-week screen presentation. Circuit admits that it first promised this film to Tucker's work, but claims that it was sold to the Music Hall when MCA didn't make up its mind on the booking in time.

Then, according to WB, negotiations were opened for Tucker to play the house for four weeks, at a total salary of \$35,000 (not \$45,000 as first reported) with 'Another Dicks' starring Edward G. Robinson. This film, according to WB, met with the approval of Ted Nichols, Tucker's personal manager, but then it was a question of starting date. MCA held out for June 28, because of Tucker's commitment with Lucky Strike to broadcast from out-of-town until then, while WB asked for a June 21 opening.

Had Already Closed Deal

MCA was to have advised WB's leader, Harry Meyer, Saturday afternoon (14) about the deal, all other factors having apparently been cleared up. Instead, WB charged MCA was carrying on negotiations with the Paramount and, though still jockeying the Strand Saturday evening, had already closed a deal with the opposition house. For deal for Tucker-Baker calls for \$30,000 for three weeks plus the cost for stand-ins. This is quite a bit more than WB's offer of \$35,000 for four weeks, which gives WB the impression that MCA played both ends against the middle in order to meet the price.

Then, according to WB, MCA called Meyer Saturday afternoon and, instead of having left the way open for further negotiations on the starting date, advised him that the deal had been sold to the Paramount.

WB also charges MCA with playing both ends on the Horace Heidt unit, with Loew's State previously getting the band for two weeks, starting June 12 for \$25,000. Strand offered Heidt three weeks, the first two to be played at \$10,000 each and the third at \$5,000, but claims MCA asked for \$15,000 for the first week and stalled for nearly a month until it could get competitive bidding.

At Echo of Post

WB's double-crossing on MCA bands and acts really the old Keith and Loew theatre booking days, when independent agents were frequently barred from bank offers for varied periods of time, usually because they sold acts away to opposition houses, or tried to build up the booking office for high salaries for their acts.

According to some reports, of tentative plans, WB intends to make up for any failure in getting the higher same wages, most of which are controlled by MCA, by improving the top salaries on the WB studio

Todd Sizes Up N.Y. Expo 2-Bit Parade As Unreformed, Unslowed Jitterbugs

FEWER THAN EXPECTED

Not alone Miller's 1,000 Members Probably to Promoters

Buffalo, May 14.
Glenn Miller drew 2,000 shufflers into (14) Avenue Friday (14) before expectations. Enlisted Miller's Club, last night, to turn in a small profit, though, Dorey went at the proceeds and \$1.15 in loss.

His reason was apparent for turn-of-the-way. Wayne King is playing Miller's Buffalo, and Count Basie had a Sunday date (15) at Broadway Aud. but their followers generally aren't Miller's.

LOTS OF BANDS HAVING N.Y. PREMIERES

An unusual flock of band openings contrasted away music publishers and other usual attendees at such affairs. Unwindings of Will Osborne and Van Alexander last night (Tuesday) at Madamam, Cedar Grove, N. J., and the Club Evergreen, Bloomfield, N. J., respectively, will be followed by Bob Chester at the Elmer House, New York; Dick Shible at the Chatterbox, Newark, N. J.; and Buddy Byrne, at Glen Island Casino, New Rochelle, N. Y., tonight (Wednesday). Tomorrow (Thursday) night Xavier Cugat replaces Orrin Tucker at the Waldorf-Astoria, N. Y. (Wednesday evening will be made a bit earlier by the last Chester's 'official opening' at the Elmer House last been delayed until next Tuesday (21), while the press, etc., gets in its swing Friday (21).

Last week wasn't a flush, either, calling for four band attendances, each at widely spaced geographicality as times this week. Ray Barker started May 8 at the Log Cabin, Albany, N. Y.; Red Nichols had his turn next night (7) at the Famous Door, N. Y.; Del Courtney's group opened the refurbished roof top Campanile Dance at the Park Central hotel, N. Y. Wednesday (14) and Zino Arthur replaced Mitchell Ayres at the St. George hotel, Brooklyn, the next evening.

Courtney's Park Central time was ruined by the explosion of gas and water mains in the street outside of the hotel. Though the Grove is 22 stories above street level, the escaping gas seeped into the place, making it dangerous because of the fumes. An explosion was feared, and early first-nighters took the stairway all the way to the street when elevators couldn't accommodate all rapidly enough.

Notes: Patricia Lane and James Cagney are being talked about as possibilities for personnel at the Broadway house.

While MCA ad men band denies that Bernhard's letter wider than being a scorching, better its hands and act from WB house, one spokesman in the office states that MCA can get by, between the Paramount and State, without Warner's in New York. The agency declines any 'double-crossing' stating that the Paramount deal was in negotiation for over a longer period than the dickering with the Strand for Tucker-Baker. So far as the Horace Heidt deal is concerned, MCA claims it was merely a matter of similar theatre offering more time.

One angle that may have prompted MCA to sign Tucker-Baker with the Paramount theatre instead of the Strand is the deal for a Fox picture that's now being closing for the music.

With the admission at all times, the Dancing Campus at the New York World's Fair is giving away a solid quarter's worth to jitterbugs who have kicking up their heels in some bands. And jitterbug in the correct word, the operator of the Campus (Mike Todd) having quickly determined over Saturday and Sunday (13-14) that his particular picture and prospective patrons still consider swing supreme. As a result Todd, through Eddie Sherman, who books the band, and Music Corp. of America, are getting together to eliminate, if possible, the worst bands that had been contracted to play either weekend, when stronger some groups are on top or through the week.

Sweet band theory is based on the showing of Clyde Lucas, whose act it is scheduled for two weeks. Lucas was off Sunday night (13) with Lane on top, while it was just the opposite Saturday and Sunday afternoon with Van Alexander and Bob Chester. Johnny Green's group was in for Saturday evening, but his time was almost completely ruined by a driving rain. Nevertheless he drew a healthy crowd onto the outdoor dancefloor, many of whom danced in the rain. Green's vocal section and his own work at the piano was put out of commission by the wet weather. D'Avina's combo group was on Sunday, too, between the exit of Bob Chester and the start of Clyde Lucas. There were a good 150-200 dancers in the area, held over from Chester's draw, but comparatively few tried hopping to the late rhythms.

Miss Ryan

Campus is on the site of last year's Morris England, the courtyard of the almost circular string of buildings having been covered with a raised dancefloor some 30 feet wide and between 150-200 feet long. Courtyard has a broadwalk promenade fronting on Liberty Lake, an ideal spot for sitting one out. Some of the buildings surrounding the courtyard house restaurants, one end of the enclosure being an eatery with outdoor dining tables on a level with the dancefloor, where hungry boppers or lookers-on can watch the action on the floor.

Bandstand is situated along one side of the very surface, almost directly opposite the American's main entrance—an additional concern of the band on top can be watched and heard at work. Result is heavy crowds form outside the spot's main entrance, which of course hurls other passersby to guess what's going on. Miss Ryan of natural beauty under which the barker outside gets little attention.

Spot gets more advertising via the continuing broadcast when topped afternoon and night radio approximately eight times weekly.

BEN POLLACK BONDED IN DIVORCE ACTION

Chicago, May 14.

Ben Pollack, orchestra leader, closed stay in the College Inn of Sherman hotel here on Thursday (14) and left town with his orchestra for midwest dates, but left behind a bond of \$5,000 to Superior Court as guarantee of his return to town for hearing in new divorce action filed against him by Doris Balkin Pollack.

Doris Balkin had not for charges against Pollack in 1936, but later married it.

Falanke's Name Policy

Philadelphia, May 14.
Frank Falanke will inaugurate a policy of name bands at the Broadwalk cafe in Atlantic City this summer. He will open the spot on June 28 with Don Bestor. Others permitted to go far are Little Jack Little, Benny Janner and Blue Harmon.

Consolidated Radio Artists will book the spot.

The Ace Is TOPS In Any Hand!

There's plenty of reason to call
for drum rolls!

The Ace Drummin' Man

GENE KRUPA . . . AMERICA'S NUMBER ONE REPEATING BAND AT THE BOX-OFFICE!

THEATRES . . . One of the Ace growers for De Luxe houses . . . Currently at the New York Paramount . . . Never less than \$50,000 his first week . . . Re-booked at the Paramount three times within eighteen months—broke all opening days records with 12,800 people before noon. Grossing \$59,000 the first week, \$47,000 second week, AND HELD OVER FOR A THIRD AND FOURTH WEEK.

LOCATIONS . . . The Ace Drummin' Man repeats at the Meadowbrook, New Jersey, starting June 4—three months after his initial engagement. One record after another. . . Twice at the Sherman Hotel, Chicago; and then to turnaway his at the Fiesta Daneteria, N. Y., for its heaviest grosses.

ONE NITERS . . . From Coast to Coast . . . STILL ACES.

PICTURES . . . Starred in Paramount's "Some Like It Hot."

RECORDINGS . . .
THE WOODPECKER SONG, BOOG IT, DRUMMIN' MAN, SIERRA SUE, MANHATTAN TRANSFER, TUXEDO JUNCTION, LOVERS LULLABY, ETC.
... ACE NICKEL-CRABBERS.

Gene

KRUPA
AND HIS ORCHESTRA

Direction: MUSIC CORPORATION of AMERICA

Personal Management:

ARTHUR T. MICHAUD, 730 Fifth Ave., New York



Inside Stuff—Music

Pittsburgh Veterans Hospital at Ardenwood nearly lost its favorite entertainment, monthly benefit show staged there by Variety Club Legion Post, last week, when Claire Meeder, president of AFM Local 98, became puffed at keep authorities and threatened a ban on all gratis performances there. Night before the show, a musician-act had a hemorrhage in Maritime club downstairs and Meeder immediately called Veterans Hospital with a request that the stricken fellow be taken in. Meeder said he was told that music was fitted, there was a long waiting list and that victim would have to go through regular channels for admission. At that, Pittsburgh union head is said to have burst plenty, calling Long Thompson, whose band was to have played at next day's show, at his office in the morning to tell him that Local 98 wouldn't permit his appearance. Meeder also told sponsors of entertainment that any musicians who showed up would be expelled.

Independent showmen and newspapermen swung into action at once in an attempt to pacify Meeder, but he remained adamant. Intervention of couple of important legislators got stricken musician admitted to Veterans Hospital late that afternoon for treatment and only then did Meeder relent, about an hour before benefit was scheduled to start. Show had been widely publicized and had number of names including George M. Cohan and Charlie King.

Bobby Crawford, currently a play producer, with "Separate Rooms" at the Maxfield, R. Y., may be winking with a piece of the Chappell and Crawford Music firm. He was directed to come back into the music biz, returning to the firm bearing his name, until the Henry Spitzer law-suit evaporated. Crawford may also become a big star of Chappell's.

For time being, however, Max Dryfus, head of the music company, is handling business and executive details himself.

Meatime, Abe Elman, managing director of all three Metro-Buddies firms, who was likewise mentioned in a driving contender for the Spitzer berth with Dryfus, will probably not shift over, in view of a substantial sale just landed him. Larry Spitz, Dryfus' showman, and his own publisher now, is the latest contender.

Paul Whiteman, sax architect, has been mentioned for the Canadian program from Chicago. This program is currently directed by Ray Shield following the sudden death of Josef Paderewski. The implications of the Canadian deal, if materialized, are that Whiteman would operate out of Chicago, and on a different basis. Canadian is reported interested if Whiteman will accept and would guarantee him a substantial fee and a long-term pact.

Reported that Tommy Dorsey wouldn't mind stepping out of his music publishing business and selling his Ben Music outfit.

(Then and Johnson may purchase it for Joe Sauty, brother of Lester Sauty (Joy). Artist Show likewise may forget about publishing (Lionel Music).

Bob Crosby for Catalina

Chicago, May 14.

Bob Crosby will be seen at Catalina Island for a six-week season starting August 11.

Will work way to Coast through theatre and one-night dates, opening at the Oriental here on May 21 at conclusion of current play in Blackhawk cafe. Other theatre dates include a three-week booking in the Strand, New York, starting June 28.

Phil Spitalny in A. C.

Atlantic City, May 14.

George Hancock's Million Dollar Fete to open for summer Destination Day, when Phil Spitalny's band will be top-billed.

Dr. Fryder (31) Teddy Powell's band will be featured; Saturday (June 1) Don Savitt's, and on Sunday (2) Joe Frenetia's.

Not Flinton smiting "The Mortal Storm" at Metro.

Les Sauty to Coast

Lester Sauty, of Sauty-Jay-Selbert, left San Sunday (12) for Hollywood to work on some film studio deals. While there he will confer with Bing Crosby, who have a stock interest in the firm, and with Jimmy Monroe and Johnny Burke, his contract writers.

Sauty will be gone three weeks.

PAYOLA THRIVES IN BRISTOL, ENGLAND

London, May 8.

While the bands that make the trip to Bristol, the wartime originator of the British Broadcasting Co., get only an average of \$300 a week, they collect as much as \$2,000 a week from music publishing for doing their numbers. The top per number is \$30 and it is figured that a band does 120 numbers a week on one of these broadcast stands.

There are but few bands that aren't in on the payroll. Some of the publishers have been trying to get the class together on an agreement to reduce the payoff to a maximum of \$10 a plug.

One gag stemming from the payroll practice is as follows. A major publisher phoned another the information about the combination of a certain name band because the former wanted to make some arrangements that the band had agreed to broadcast. The answer was, "Four brasses, four voices, the usual rhythm piano and two back registers."

GRAB AUTOMOBILE ON ASCAP JUDGMENT

Milwaukee, May 14.

Fending in this state between American Society of Composers, Authors and Publishers and Milroy, who has brought furniture, jewelry, silver, garments and what not, but tops was reached this past week when Robert A. Hen, ASCAP's Wisconsin legal rep, levied upon a restaurant where Hen's men's automobile to satisfy a claim.

Judgment for \$2245 had been obtained in federal court against Frank Rykel, proprietor of Rainbow Gardens at Cadott, Wis., in an action brought by Gene Bush and the Mills Music Co. for playing "My Old Gentlemen" and "What Goes Up Must Come Down" without the necessary license.

When the United States marshalls descended upon the Rainbow Gardens to levy upon Rykel's property, the cash drawer was practically empty, as they attached the defendant's car. Rykel wants his car back and negotiations for a settlement are under way.

CHEAPER SYMPH MUSIC

Columbia Follows Victor Lead in New Label Policy

Columbia Records soon begins releasing a new series of Green Label records and with popular classics by popular light symphonic bands. Cuttings will be priced at \$1 apiece whereas the company's regular Blue Label heavy stuff runs up to \$2 a copy.

First two issues of the new series will be recordings by Andy Kay's orchestra of highlights from George Gershwin's "Porgy and Bess" score, including "Summertime," "I'm On My Way," "I Got Plenty of Nuttin'," and "Bess You Is My Woman Now." Second player is "Clair de Lune" by Debussy, and "Pavane for a Dead Princess" by Ravel.

Victor recently announced a 15 Black Seal issue of classical stuff, in comparison to the same with Red Seal \$1.50 and \$2 releases. However the fare with which the Black label stuff will be needed is not the same as the Red. Former are pretty reissues of platters Victor has had in its catalog for some time.

Max Fries and his KTHA, San Antonio, studio orchestra will open the summer season of dancing at the Gunter Hotel open air Bird Garden, May 17. Thereafter the group will supply the music for dancing each Wednesday, Friday and Saturday nights.

New York Copyright Lawyers Note KGHL, Billings, Defense Versus Reed

British Best Sellers

12-Piece (1st Numbers)

"Buy Coming Home" ... Maurice
"Made Me Cry" ... Nitty
"Milk and Honey" ... World
"Oh, Johnny" ... Francis Day
"Sunlight Avenue" ... Day
"Who's Taking Your Home" ... Day
"Times My Dream" ... Laverne
"Quartermaine" ... Carole
"Candle" ... Wright
"Dreaming" ... Southern

11-Piece (1st Numbers)

"Over Rainbow" ... Day
"Deep Is Night" ... Nitty
"With Upon Star" ... Chappell
"Little Bells" ... Connolly
"Dish Garden" ... Connolly

Bridgeport Park Opens

With Glenn Miller Orch

Bridgeport, May 14.

Finchey Beach, city-operated amusement park, reopens Sunday (15) with Glenn Miller one-nighting in ballroom. Woody Herman follows May 20.

Perry Radman again in charge of resort for city, with Don Felix managing dancers. Attractions booked by Charles Shifman.

New York copyright lawyers last week expressed deep interest in the treatment of Clifford Reed, a Montana publisher, has received from a lower court in that state in his suit against KGHL, Billings, for performing rights compensation. Reed claimed that the station had agreed to pay him \$10 a month for the use of his publication and that when it came to payment KGHL, turned him down on the ground that he had not complied with a Montana statute which requires that all copyrighted works be registered with the state authority.

KGHL, said this court argument in asking that Reed's suit be dismissed and the lower court upheld the decision. Reed contended that the Montana statute, which had been devised to outlaw ASCAP, was unconstitutional, but the court held that his rights could not be recognized unless he pleaded compliance with this statute. Reed does not clear through any of the performing rights groups.

ASCAP has a batch of infringement suits pending against KGHL, as well as the other Montana stations.

3 IMPORTANT ANNOUNCEMENTS

We Have Been Fortunate Enough To Sign Up EXCLUSIVELY for a Term of Years

ERNESTO LECUONA

The Victor Master of Latin America

Distinguished Composer of "Moliguens", "Boy Si Si", "Andalucia", "Jungle Drums" and Scores of other Successes.

And As His Latest Achievement We Offer Now the SONG SCOOP of the Season

THE BREEZE AND I

A Brilliant Bolero For First Version of Ernesto Lecuona's "ANDALUCIA"

Adapted and Orchestrated by T. Converse Lyrics by Al Stillman

Recorded by JIMMY DORSEY (Dorsey)

Hot Kemp (Victor) ... Glenn Miller (Columbia)
Charlie Barnett (Bluebird) ... Frankie Malen (Vandora)
Lou Brown (Vandora) ... Arthur Tracy (Dorsey)
With Many More To Come

We Are Lucky, Too, in Obtaining from OZZIE NELSON His Hilarious New

I'M LOOKING FOR A GUY WHO PLAYS ALTO AND BARITONE AND DOUBLES ON A CLARINET AND WEARS A SIZE 37 SUIT

As Cute as Novelty As The Title Is Long

Written by Gene Nelson and Recorded Inimitably by Her On Bluebird 51044-A

THERE'S A MARKS TUNE FOR EVERY PROGRAM Popular—Latin-American—Old-Time—Standard

EDWARD B. MARKS MUSIC CORP. RCA BUILDING - RADIO CITY - NEW YORK Frank Hennings, General Professional Manager

Publishers In Recent Months of Andrews Sisters—Glenn Miller's "RAY 'N' ME" ... Big Crosby's—"EL MANCHO GRANDE" ... Cab Calloway's—"JUMPIN' JIVE" ... Sonoma Dullin's—"AMAPOLA"

Extra!
SANTLY-JOY-SELECT NEWS
BING!
SANTLY-JOY GETS NEW HING CROCKET
SOME ENTERTAINMENT NIGHTS...
Dave Butler, Producer of New Universal Picture, "IF I HAD MY WAY", claims Burke & Monaca out-do themselves with this score!
I HAVEN'T TIME TO BE A MILLIONAIRE
APRIL PLAYED THE TIGER
MEET THE SON HALF WAY
THE PESSIMISTIC CHARACTER
SANTLY-JOY-SELECT, INC. 435 FIVE AVE. N.Y.C.
PAUL MARK, Pres. Man.

Just a Natural, Everyday Great Song
The Singing Hills
For Every Singer
For Every Orchestra

"Look Down My Baby—
Slide Down My Cello Dear"
PLAYMATES
Basil Dorell's successor to
"Fishes"—A Dynamic Novelty!

Night Club Reviews

Club Bali, Philly

Philadelphia, May 12.
Carm & Dunn, Peter Sisters (11),
Johnny Howard, Band and Eve
Bayer, Show, Nat Brandenburger's
Hitch (12), Day Breakers' Deck (13),
11:30 midnight.

The Kallons brothers (11), who made a good thing out of the Little Rascals, a few-voiced broad street band, are taking a long at running a big-time night at the site of the late lamented Boney's. And though the opening Friday (12) was heavily patronized, it was far from auspicious.

The spot has been refurbished at a cost announced at more than \$15,000, with the entire interior decorated in the tropical motif with palms, grass, tropical flowers in abundance. But the show is not in keeping with the theme, heavy far below the quality and presentation expected of a first-rate show.

The place was apparently opened before preparation was complete. Waiters were inadequate in numbers, lighting was poor, customers were usually disappointed at lack of service and at being jammed too closely together. All this made it difficult for performers to show at their best advantage.

The headliners, Carm and Dunn, tried hard and partially succeeded in overcoming these obstacles, which also include poor acoustics. The stage is set at one end of an oblong-shaped room with an open bar at the other end. The C. & D. repertoire of clever lyrics is almost perfect. But removed in "I Could Only Happen in the U.S.A."

Only act in keeping with the tropical surroundings is the rumba-rumba team of Band and Eve Bayer. But though their act has plenty of merit, they performed under the worst conditions. At one side of their line they were almost completely blocked out because the spotlight went haywire. An unusual and clunky bit in the Bayer novelty finale, an imitation of an automobile, with the female providing the motor vibrations.

The Peter Sisters, lefts says too, try hard to get over. Haunted like the others by imitations of the customers, they provide an entertaining interlude when they could be heard with their rhythmic group and wailing band. Their best is "South American Way."

Subject of the lot are the efforts of Johnny Howard, whose register will. His act is plenty funny; he goes through standard imitations (Al Jolson, Louis Armstrong, Louis Armstrong) that fall with a dismal thud. And his gags are aged. To make things worse he stretches his act to the breaking point, dragging the stage for nearly 20 minutes, much to the disgust of the patrons. A thread on a Baptist revival is in poor taste and unimpressive.

Some, a few-betterer singer, is just fair. Nat Brandenburger's band performs nicely, but has plenty of rough edges while accompanying the acts, apparently due to lack of rehearsal. Brandenburger's quartet, specializing in rumba and swing, provide the full music. **Shal.**

TERRACE ROOM, N. Y.

(HOTEL NEW YORK)

Larry Clinton Deck (11) with Helen Jenkins, Fred Lewis, Terry Allen, Billie, Alfred Treacher, Nathan Waller & Eddie Dwyer, Robert & Farley, Ross McLean, Joe Baker directed by Danvers Ziegler.

New ice layout for the forthcoming hot stretch at this newly redecorated room is slick and speedy, being accompanied by the Larry Clinton orchestra, which, for dancing and listening purposes, is probably the best Clinton has ever led. Room itself has been refurbished to provide a setting reminiscent of the modern influence of the Blue Angels; walls being covered with white and dark red draperies and a sprightly, hot of winter scenes, some synthetic and others photo enlargements of some famous musicians.

Comprising 12 people, including Ross McLean, who also handles the mixing, the band's diversion is run off in an accelerated 25-minute, leaving little to be desired. Billie, blonde, English skirt star, heads the female group. She displays a wealth of grace and poise with a routine that, while not startling, leaves little doubt as to her ability. Routines are outlined here, of course, by the size of the skating surface, a few tricky stunts giving a star an every chance of winding up in a ringer's dominance.

Nevertheless, Bonnie Roberts, who later does a team bit with her partner, Miss Parker, gets off a solo series of acrobatic stunts, kicking up flecks of ice with the speed and force of his mace and handclaps. Tony arrives in time with the line, instructing the pair out in mingled confusion, working to Clinton's solo arrangement of "Night and Day." Alfred Treacher is a comic in grotesque costume and makeup who gets a few laughs with a routine

that's tough for any but ringers to appreciate.

Nathan Waller is billed as an undisciplined floor-skating champion. But with his partner, Eddie Dwyer, he reveals a tricker sense than he seems to have. Team stuff is smooth, but the skating while the pole bit is capped by a stationary spin so fast he almost becomes unrecognizable. Line of six skaters is on hand to round out the show. They're smart looking and able skating accompaniment, being tastefully and colorfully costumed for all sections in which they take part.

Clinton's outfit impresses as a smart selection for this particular room. Once has a look of novelty, all eventually arranged and offering an available change of pace. They're neatly played by a flexible group that runs the full gamut in ensemble or takeoff style. Helen Jenkins, new vocalist since the band was led in this territory, is an appealing diversion up front. She's got a nice style and handles her assignments neatly. **Wood.**

Florentine Gardens

(HOLLYWOOD)

Hollywood, May 12.
Rita T. Crawford, Chicago, Jewel
My Wood, Geraldine Reed,
Singer Group, Taylor and Allen,
Petersen, Lanza, Billy MacDonald
Deck (12), concert 10.

Second edition of what HTU must be thought call a revue is about as bold as a troupe of musicians in an effort as has covered in any of the better breaks in some time. And Crawford can take the full tag, set.

Principal and chorines try their best to make something out of the evening's muffled melody but his constant interruptions and belatedness from uninvited ladies make only for chaos and disorder. His scene in stepping dancers and inconstant chatter about this or that that while endeavor might be considered cute and effort with comment as "let's be a crew," but hardly is Hollywood. Such confusion being in the joints with long lines or deep in the audience belt, but it's no go with the house guard. It's much too noisy and as dazed as burlesque. Crawford might come over to Earl Carroll's and see how a silver revue is conducted, and successfully, too, for going on two years.

As for the show itself and the talent jumping it, there's too much to be said in their favor. Most of the staff was paraded in the first edition and the preliminary rate only passing mention. Best of the lot is Geraldine Reed, a rough-and-tumble, scrabbling dancer who gyrates over the floor in all manner of contortions. Taylor and Allen are ballroom dancers who offer nothing that hasn't been done before and better. Lorraine de Wood doesn't live up to Crawford's billing as a terrific chorine. Singer Group, a shapely, bubbly blonde, is billed as a "Hollywood institution." Information, please. She sings and dances so-so but her chief in trade is to look and act cute. Chiquita does a Max routine on the roof and Petersen Lanza is a hip-swinging dancer.

Line of 20 girls has some lookers and fair dancers. Gene Gould is credited with staging the production numbers, which lack precision and show signs of careless rehearsal. Petersen shows the chorine change into street dress and sip drinks and dance with the customers. That his was recently ruled out of the cheap joints along Blvd. Row by the police commission. Billy MacDonald's crew, reviewed under Band Reviewer May 1, isn't particularly distinctive. **Rein.**

Cocanut Grove, L. A.

Los Angeles, May 12.
Harry Lane's Ice Show, with Pat
Merfield, Mary Taylor, George
Stewart, Irving Gregg, Jo Ann Dunn,
Gene Berg and Joe Hatchaway Deck
(14); Open, Tuesday and Saturday,
11:30, other nights, 11.

Intimate group of blade experts is pored through the heated half hour ever seen on a glided floor hereabouts, which takes some of the ruse off the winning novelty of ice skating. Town has had three or four ice shows a year since the roller rink built, but Harry Lane's aggregation is the first to be turned loose in a show. Estate large club-house skating rink shows for a show, but by dint of perseverance and constant plugging the William Morris office finally landed the booking and, incidentally, broke through what had been sacred MCA ground since the Grove picks first skaters in May, 1931.

Six of the ice troupe's 11 members are invited for specialities, and, considering the limitations of performing space, they skim over the place with expert flourish. Most of the skaters were recruited locally, and at one time or another turned with Gene Rieck. Jitterbug team of Jo

Music Notes

Peter Timaris doing music and lyrics for Republic's *The Ranger and the Lady*.

Edward Ward writing "Dance, Girl, Dance" and Frank Fara likewise for Tom Brown's *Behind Bars* at RKO.

Al Newman started *Forever and Ever* to be sung in the *2nd-Fox* film, *Secret of Memories*.

Frank Watson doing the scoring for *My Sister's Escape*.

Mickey Roney and Sidney Miller crafted their fourth song, *Love's Got Nothing on Me*.

Iris Yalbot and Andrea Belair scoring *The Night Breakers* at Paramount.

TEDDY POWELL'S LEGAL JAM WITH HIS LAWYERS

But of three attorneys, Herman Goldfarb, Mary Mervin and Michael Vallen against Teddy Powell and Teddy Powell Orchestra, Inc., for \$1,500 for alleged legal fees due was dismissed yesterday (Tuesday) in N. Y. supreme court when an application to set aside a counter-claim by Powell was denied.

Powell's action seeks cancellation of certain stock arrangements made between himself and the attorneys.

Schwartz Quits Warner Music Group On Coast

Hollywood, May 12.
Arthur Schwartz has resigned as western manager of Music Publishers Holding Corp. (Warner) to devote full time to his new multi-Pacific Music Sales, providing a chain of retail music he operates.

He joined MPHC in 1939 when Warner bought out M. Winmark and acted as professional manager until 1934 when he was named assistant to Buddy Morris, general manager of the Warner group. He came to the Coast when the New Warner publishing firm pulled out of American Society of Composers, Authors & Publishers.

Bill Gordon has been named professional manager of the Winmark catalog.

Band Bookings

Ross Morgan, May 12, Band B, Gaylburg, Ill.; June 1, V.P.I., Blacksburg, Va.; 10-11, V.P.I., Lexington, Va.

Champaign Lounge, Remont, Atlantic City, June 20-July 13, Dan Bester, July 14-18, Reggie Childs, July 21-Aug. 4, Little Jack Little, Aug. 11-23, Sonny James.

Fulton Brothers, June 18, indef. Ernie Jettick Park Auburn, N. Y.

Nat Lanberry, May 28, five weeks, Bellevue Hotel, Baltimore.

Bob Crosby, May 21, week, Oriental Theatre, Chicago.

Craig, Bala, May 18, Army, Patterson, N. J.; 20, Rudy Spring Park, Lancaster, Pa.; 21, Wald-Dresson B., Allentown City; 24-26, Apple Theatre, New York.

Ross Morgan set to start a stretch at the Baltimore hotel, New York, Bowman Room, June 18 Sleepy Hall concert.

Johnny Kanak land down for Holy Trinity Academy, Westfield, N. J., seven from May 21.

Ann Dean and Gene Berg were handled in their routine, which calls for quick steps, fancy gyrations and fast precision. Pat Merfield, Mary Taylor and George Stewart combine grace and rhythm in the execution of their numbers. Irving Gregg has a brief routine turn that depends on falls for laughs.

Performers are nicely tricked and make a clean-cut appearance. Last but not least, a moving picture, with the piano and blinding monkeys long identified with the Grove hovering over the ice.

Joe Reisman plays the ice production numbers and also the dance like is one of the most shamelessly modern to play the Grove, and his friendliness with the pages brings them out on the floor in a row. He still carries the Tagliani's billing and has a smooth crew. Present solo is in for six weeks, with the hotel holding options for additional time. On night caught (Thursday) the funniest was meagre. **Rein.**

Network Plugs, 8 A.M. to 1 A.M.

Following is a classification of the scheduled plugs of current heavy ABC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (May 8-12). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. *Spencer* denotes five song, 7 songs maximum, all others are pop. Parenthetical numbers after the title indicates how many weeks the song has shown up in three ratings.

TITLE	PUBLISHER	WEEKS
Woodpecker Song (11)	Robbins	20
Make Believe Island (1)	Miller	20
Imagination (1)	A.M.	20
Shake Down the Stars (1)	BVC	20
With the Wind and the Rain in Your Hair (12)	Paramount	20
Where Do I Go from You? (1)	Morris	20
My My! (1)	Parsons	20
Let There Be Love (1)	Shapiro	20
Little Curly Hair (1)	Frost	20
Yes, You Darling (1)	Harris	20
Alone With Others (1)	Feld	20
Angel in Disguise (1)	Winmark	20
When You Walk Upon a Star (1)	Shapiro	20
From Another World (1)	Chappell	20
Say It (1)	Parsons	20
Apple Blossoms and Cherry Bells (1)	Shapiro	20
Singing Kitty (1)	Santely	20
Where Was I? (1)	Shapiro	20
Say It (1)	Shapiro	20
Stella Sue (1)	Shapiro	20
The Summer (1)	Parsons	20
Danny Boy (1)	America	20
It's a Wonderful World (1)	Shapiro	20
Playmate (1)	Santely	20
Years to My Heart Alone (1)	Harris	20
Reverend (1)	Shapiro	20
How High the Moon (1)	Chappell	20
Ma! Ma! Making Eyes at Me (1)	Shapiro	20
Sky Fall Down (1)	Winmark	20
So Far, So Good (1)	Miller	20
Charming Little Fellow (1)	BVC	20
I Can't Love You Any More (1)	Shapiro	20
Good Evening (1)	Shapiro	20
Tonight (1)	Shapiro	20
Believing (1)	Shapiro	20
Candle of Dreams (1)	Frost	20
I've Got My Eyes on You (1)	Shapiro	20
Meet the Sun Half Way (1)	Shapiro	20
My Wonderful One Let's Dance (1)	Frost	20

RECORD REVIEWS

Duke Ellington 'Congo Brong'—'Ka Ka' (Victor 34519)
Ellington gets out some new stuff but two originals (which are good) are the best contrast. One goes with the trick. Best of these two, both Ellington ideas, is "Congo." It rides strongly at a good speed on muted trumpet and ensemble playing. Broken by five trumpeting early and late. Not only midway is such. "Ka Ka" is not as effective though an entering bit of average tempo stuff. It's a colorful writing, utilizing brass tricks, but it tends to go wild midway.

Gene Krupa 'Mandolin Transfer'—'Memento Memento' (Columbia 34544)
"Transfer" is of the "Tuxedo Junction" type. An original introduced by Krupa, its melody has a look of familiar notes. However, the melody gets it off in colorful fashion with a lot of brass-in-hat "memento." Muted trumpet and sax solo push it along. There's an extra good clarinet solo to round out a highly rhythmic piece. It's good. "Memento" is smoothly treated with an arrangement that flows easily, ensemble stuff showing off brass and sax solos. Howard Dunsen handles the vocal in this style.

Maggie Spenser 'Black'—'Black and Blue' (Bluebird 14887)
Just loves with that Spenser's version of "Black" interesting. It goes easily with even less usual follow-up for a small number. It's handled almost in a half way for a muted trumpet bit. George Brown vocal is strong. "Black and Blue" follows an average tempo groove for its kind. Trumpet and sax breaks alternate and a piano top both.

Cal Callaway 'Paradiddle'—'Pinky the Cabbage' (Vocalion 34517)
"Paradiddle" may be an idea line of some sort but it isn't worth the time to listen to at the time it took to record. More than half the evening is a drum solo during which nothing happens but a steady roll. As a vocal entertainment it looks better in places in the story. To top that the reverse "Cabbage" is an innocuous piece shot through with drum rim shots and little effectiveness. Either side is a good version against crazy originals.

Harry James 'Yach Back In'—'Surrey in Memento' (Vocalion 34518)
An attractive job in ballad tempo. "Yach" is smoothly handled by a steadily improving Harry James with. Side points up leader's trumpet breaks early and late, embellishing good ensemble work of piano and brass. Lyrics get nice treatment from Dick Haymes. "Surrey" doesn't reach the same level. It's smoothly done, but hasn't the life of its romantic Haymes again vocals.

Oris Tucker 'Allan Blue Gown'—'Love' (Columbia 34545)
"Love" is the strongest. Tucker's treatment of the standard gives it a light lift via a smart arrangement, a break by the violin team standing out. Leader's vocal is backed by the background the two combining to establish the side to slick proportions. "Allan," though, is rather lifelessly done in comparison. Tucker again vocals.

Will Bradley 'What Can I Say'—'O Sole Mio' (Columbia 34542)
Both sides good. "What" wastes no time getting into a solid groove. A melodic writing, the arrangement leaves room for sax, piano, and trumpet breaks that give rhythmic ensemble stuff. Reverse is slower, highlighting Bradley's outstanding brushwork at the start; trumpet and sax solo breaking it near the end. Steve Jordan vocals early.

Louie Hayton 'Times Square Shuffle'—'AC-DC Current' (Vocalion 34511)
Two originals from the Hayton band are okay stuff. "AC," a Benny Goodman writing, hops solidly with breaks by clarinet, sax, trumpet and drums. Reverse was led by Hayton himself. It's in the same lively groove, with a touch of more melody. Trumpet break is highlighted by a really solid clarinet.

Frankie Trumbauer 'Wag Your Tail'—'Lady Be Good' (Vocalion 34510)
Trumbauer's handling of "Trumbauer" makes it stick listening. Standard trumpet and two sax solos give it a lift and a late piano bit helps. It's an average speed. Reverse "Lady" is also well done, an arrangement that undercuts the melody a bit too much, but still good stuff. It's almost all ensemble.

Benny Carter 'Among My Mountains'—'Tab Fry' (Vocalion 34510)
Benny Carter fans will get a kick out of the sax solo he gets off on "Mountains." Band behind drives smoothly in ensemble and is "aching" trumpet gets in a lick before the sax comes back late. For no reason at all a Roy Felton vocal was run in. "Tab" is another "Tuxedo Junction" thing, a rhythmic bit quoting more sax and trumpet spotlighting.

AGVA Puts 'Standby' Rule Into Effect In Philly; Affects Booker-M.C. Mohr

Philadelphia, May 14. Taking a leaf out of the book of the American Guild of Variety Artists last week forced a city to have a standby performer because it had booked a non-union man as M.C. The case had an extra twist because the M.C., Paul Mohr, is also a featured booker and a member of the Entertainment Managers Assn. He has been booking and handling shows at the Hotel Monroe Hall for the past seven years.

Jack Stamp, operator of Stamp's-on-the-Edgewater, signed Mohr for a week to handle the show. AGVA officials hearing of this threatened to call the rest of the performers on the bill on strike if Mohr went on. After a hurried battle, Stamp agreed to hire an AGVA member, Johnny Camp, as a 'standby.' Camp received his pay without even making an appearance. The 'standby' rule has been standard with the musicians when out-of-town bands play local dates.

Meanwhile, it was learned that a battle was brewing between the AGVA local and the EMA regarding the actors' union attempt to franchise the agents. Although AGVA officials said they had the situation well in hand, even of the 18-per-centers are declared they would forbid their members to sign individual contracts with AGVA.

"If AGVA wants us to get franchises it must sign with our organization," an EMA official said. "We will not sanction any attempt to separate our members by means of individual contracts. Such a move is the same as trying to break up our organization. It's a group franchise, or none at all."

AGVA IN DRIVE TO SIGN BARNES-CARRUTHERS

Chicago, May 14. Outlets division of the American Guild of Variety Artists has initiated a drive against the Barnes & Carruthers fair booking office following the failure of B. & C. to sign any working agreement with AGVA for latter's members.

Outlets division is readying to tell upon allied unions and trades to assist it in drive against B. & C., booking especially for such emblems from the musicians' union, electrical workers' union and the teamsters, all of which have indicated a readiness to cooperate with its brother AFL union.

AGVA is planning to stop B. & C. shows and bookings in some dozen fair dates throughout the midwest, and is sending information of the anti-AGVA stand of B. & C. to affiliated unions in such towns as Louisville, Minneapolis, Boise, Detroit, Birmingham.

Gayety, Ex-Buff Burley, Will Be Sold May 29

Buffalo, May 14. The former Gayety theatre, a burley, will be sold at foreclosure sale May 29. House, built by the late Mike Shea for the Columbia wheel, is still owned by the Shea estate.

Since folding of burley house has had varied career under different picture and vaude operators, but has been dark greater portion of past seven years. Tenanted at the present time by Old Varona, with bingo-pooly three nights a week.

Adopts Weekend Burley

Youngstown, O., May 14. Black burley, which has experienced a struggling existence at the Grand here for the past three months, has adopted a policy of three days a week, Fridays through Sundays, instead of seven days a week. House has been shuttered three times in as many months.

House grade from semi until midnight at 25c top. Principals are changed weekly.

BERGEN, GRAY SPLIT

Chicago, May 14. Jerry Bergen and Billy Gray have split their act partnership after several years.

Bergen will do a new act with a former partner, while Gray will do a single.

Chi Bon Air Gets Show And Clyde Lucas Orch

Chicago, May 14. Clyde Lucas' orch goes into the Bon-Air theatre, which opens summer season May 18. Floor show will carry the Dillmore, Gracie Barris, Al Bernis, Ambassadors, Bostons and line of 18 girls.

Arts are in for two weeks, with head down for four weeks with options.

PITT SUMMER INNS LOOK NG

Pittsburgh, May 14.

Summer roadshows outlook here pretty dark this season, with at least a couple of bigger open-air spots expected to keep dark an amount of unutilized exhibition locally. One of the most important is the Wittenberg, long considered a choice room by head bookers, which has operated in the red for last several years. Group of locals look it over last June on a two-year lease, but dropped several grand and presently have an inclination to try it again. They're trying to cut-least, but so far have had no takers.

Bill Green is opening his Thirteenth Gardens May 21 with Everett Haggland band; Pines and New Penn, couple of stand-ups, go outdoors Decoration Day, but outside of those spots situation remains pretty dark. As a result, several downtown clubs which previously had declared a summer holiday plan to keep going through the warm months. Only Golden Triangle saloon which is air-conditioned in the Nixon Cafe, which operates year 'round, but Tanti Club, Old Ship Gardens and couple of others are going to make a stab at it, too, during the summer.

Five or six years ago town had at least a dozen open-air spots, but most of them have fallen by the wayside and bookers have been burned so severely in the past they want no part of the bit.

Saranac Lake

By Happy Newway

Saranac, N. Y., May 14.

Coming in and going out of the Colony. Al Walker, recently associated with the Paramount theatre, Middletown, Ohio, is a new arrival at the Rogers' Chris Hagadorn, who served over 15 years up here as an owner, parked his go-to-back clothes and got started for Broadway; Dr. Agrippa Roberts, ex-N. Y. A-house median, now looking viable at the Trudeau sanatorium; Bill Cole out of hospital and back atop of White-tay mountains, going in for television work and extended radio research work. Dorothy Galt, dancer, who got okay within a year, took in line in a Chicago saloon; Helen O'Reilly to New York on his and pleasure trip. She still maintains the Hollywood Dress Shop here; the passing of Charlie Alcorn showed up Fort-tan Glenn, ex-member of the Alcorn troupe; George Garfield, who introduced four operations, left for Brooklyn.

Henry Bears, a United Artists reservation, ordered in from Charlotte, N. C., for a look-over and check-up at the Will Rogers. Got complete H. K.

Neddyline Murray (Clark and Murray) who has been fighting arthritis, threw away her crutches.

Curriculum: It's a 10-pound boy, and not daughter who came in the Ames Colony skating champion Janet Miles.

J. Gordon Rogers, who at one time managed a shop-ship in Camden, N. J., is a new arrival.

Bobbie Brinkworth, dancer who did a nine-month stint in a Toronto hospital with a broken leg, just moved southward when her leg was shined while enroute to her Kansas City home.

Thanks to Edward Arnold for looks donated to Earl Robbins for the Ben Hur.

Adrian Joffre, reviewer, took that phrase, operation, literally.

Wally is there who are all.

Grab Radio If War

Continued from page 1.

Europe has caused considerable unhappy speculation among imaginative broadcasters and their Washington representatives. The war-time system getting the stations restored after the war and getting private enterprise reestablished as before. And probably getting the Government out, once it, of the broadcasting business.

While the details of M-Day are naturally military secrets it is the opinion of observers here that many radio stations would be victims of a partial radio blackout, that key stations would probably be run by men in uniform. Scores of broadcasters are already in the army and navy reserves and would, probably, be assigned to carry on but under national defense control. Censorship would be almost automatic from the first moment the President declared a state of full national emergency. (We have had semi-emergency conditions in case, which is an important shade off normal.)

War Dept.'s Schemes

It is known the War Department has pretty comprehensive schemes all worked out. Just as it has a system for procuring all the required supplies and drafts of legislation that would put the nation on a complete war footing. Even the executive orders which the President would issue under his 'national emergency' powers are ready for signature and stamping with the U. S. seal. The proclamations were revised last summer at the time the British and French blew the whistle.

General policy was worked out considerably before the outbreak of the European off, in keeping with the War Department's scheme to have comprehensive plans ready for use any moment the country's power is seriously endangered. Roughly, it calls for immediate shutting down of all stations which cannot be put into use by the armed forces, notably amateur, experimental (amateur, television, etc.) and the specialized private services. A good many transmitters, of course, would be occupied immediately by men in uniform and used for mobilization and operation purposes.

Presumably many commercial broadcasting stations would be engaged in their frequent programs and in many cases the physical facilities actually taken over. But all would be shut down or put in other use, however, for the strategic reason the need of outlets for propaganda and entertainment purposes and to maintain the national morale. Latter classification includes a good many of the clear-channel outlets and some of the regionals. These still operating would be subject to rigid control, with their programs 'inspected' and pre-disposed bulletins, speeches, handed to them.

Compensation

Compensation is assured the present language to event the Government expropriates their property, but even after peace—assuming the United States came out victorious—the owners of commandeered plants might have a long time collecting. Judging from experience in 1917-1918 there would be much litigation, with wrangling overvaluation possibly lasting for a generation. (Some damage suits from the last war have not been settled yet.) Differences between Federal Communications Commission and industry accountants about valuation methods would give rise to much business for the lawyers, while it is certain the Government would take advantage of every means of cutting down the amount to compensate the owners for lost business.

Actual expropriation of war is not necessary for the President to put the broadcasting industry in control of the military. Provisions of Section 308 of the Communications act are extremely broad. Even when he feels only that there is a 'threat of war' or 'that such action is imperative to preserve the neutrality of the United States,' the Chief Executive can suspend or arbitrarily change all FCC regulations, shut down any transmitter, or direct any Federal agency to take charge of operations.

The regulations placed at the law puts in effect the position of taking what they are offered for immediate settlement as assuming the full and exact of handling. The President has power to fix the 'post emergency' but the money still would have to be obtained from Congress. Any person who thinks the price is insufficient can collect 75% of the amount and then go to court.

State Enters B'way Name Competition, Hope's \$12,500, Heidt's 21G for 2 Wks.

AGVA Takes Edgewater, Chi, Off Unfair List

Chicago, May 14.

Local office of American Guild of Variety Artists has taken the Edgewater Beach hotel off the unfair list following start of negotiations between AGVA and the hotel for an agreement.

It's likely the agreement will be signed officially this week. The contract to call for minimum wages for performers and the licensing of dancing.

EQUITY, SAG LEND AGVA 5G

Application of the American Guild of Variety Artists for further loan from Equity and the Screen Actors Guild was not partially completed with. Vaude union asked for \$12,500 from each, but received only \$5,000 from the Equity and picture organizations combined. Latter have named a joint committee which will consider advancing more aid to the vaude organization, which was formed last summer when the American Federation of Actors was ruled out by the Associated Actors & Artists of America.

Until lately, AGVA has had a difficult time in organizing, and considerable time was spent during a period when there was literally a parade of executive secretaries. Equity loaned \$20,000 to AGVA and SAG gave the same amount. During a time of stringency the picture end advanced another \$10,000, so that it is owed \$22,500 to date, as against Equity's \$10,000 receivable of \$22,500. AGVA is in a better position now than at any time since formation. It has more than 300 members at the World's Fair, which means a definite non-paying contingent.

15 YEARS AGO

(From VARIETY)

Conny Island was going under a rehabilitation process that would make the Brooklyn spot a year-round resort.

There were complaints about the plague of bad plays hitting Broadway. However, grosses were holding up pretty well, with the drama box being better than that of the musicals.

Harry Langdon reported to have been offered a producer's contract calling for \$1,750,000 for three years at a sliding scale. First year was to pay him \$500,000, with the final, \$1,250,000. Outside producers made the offer.

The Orpheum circuit and Balaban & Katz were said to be talking of forming a vaude and picture circuit together. Report circulated because of a 20-50 deal between the two for the operation of a Col. auditorium.

With unofficial figures placing the salaries at \$12,500, New York Hipp bill was said to be the most expensive ever assembled for a vaude house. Paul Whiteman, headlining, was getting \$7,000.

Lee E. Shubert, with Willie Kaim, his attorney, and George B. McCluskey, were sailing for Europe, presumably to look over via theatre box leasing in Paris and London.

In return for the payment is risk of \$175,000, Arch and Edgar Brown, Crutty Golge and Sam H. Harris turned over to A. L. Erlanger the Balaban theatre, Chicago, on a 10-year booking arrangement.

Vivian Lopez was given a much corruption upon his London arrival the date. Jack Hyland, head of the dock in great the American, married.

Loew's State on Broadway has entered into the competitive market with the nearby Paramount and Strand for top name bands and personalities. Hereafter, the house has stayed out of it through being unable to offer such attractions more than one week's booking because of second-run films.

State's biggest buy this year thus far is Bob Hope, for week of May 20, at \$12,500. Salary includes Brenda and Cakina, Hope's radio spouses, and Jerry Colonna. Hope was originally supposed to go into the Paramount, but the latter house couldn't promise him a May 20 opening date, necessary because of Hope's radio commitment, so the house's booking was shifted by the William Morris office to the Loew house. Last time Hope played Broadway, at the Paramount, his salary was reported around \$4,500.

Another major buy by the State is Horace Heidt's radio unit for two weeks, June 12-20, at a total salary of \$21,000. Heidt will get \$11,000 for the first week and \$10,000 for the second. The Strand had been offering Heidt a three-week deal calling for \$20,000 each for the first two weeks and \$8,000 for the third, but Heidt held out for \$11,000 for the first week and then went over to the State via Music Corp. of America.

Big name spurge by the State is figured to be a result of Loew's operators trying to meet the expected stiff competition from the N. Y. World's Fair this summer. House, as an instance, was hurt by the Fair's opening day on Saturday (11), with the gross dipping to around \$2,500, just about half the theatre's average for a Saturday.

COAST PALLADIUM NITE SPOT TO COST MILLION

Hollywood, May 14.

Construction will start within a month on the Palladium cafe and ballroom on Sunset boulevard, just off Vine street between the NBC and CBS studios. Venture, to cost \$1,000,000, is financed by Hollywood, New York and Miami coin.

Site will cover 75,000 square feet, with 25,000 square feet given over to the dance. Cafe will have accommodations for 800. Maurice Cohen, former picture producer, heads the operating company.

Fay's, Philly Vander, Folds for Summer

Fay's, Philadelphia, vaudeville operator and booked by Eddie Sherman, folds for its usual summer liberation today (Wednesday).

Sherman is now booking vaude into two Philly parks, Willard Grove and Womble, both playing five-act shows on Sundays only.

Carman Goes Str-Pts.

Philadelphia, May 14. Vaude becomes almost a dead issue in the Philly area next week with the shuttering of the Fay's and the reversion of the Carman to a straight pic policy.

The Towers, Camden, N. J., will continue vaude on Fridays, Saturdays, and Sunday for the time being.

Det. Nabe Builds to Full Wk in Face of Opposish

Detroit, May 14.

Advent of vaudeville in the big downtown houses here hasn't ruffled the neighborhood boys, who have been steadily building up on it.

The Harper, large vaude of the Winger & Wetman chain which has been using a half week of vaude during the past two months, young ones on a full-week policy. Bookings are three weeks ahead.

Pendergast's Jam

Buffalo, May 14.

Thomas Pendergast, 21, who described himself as a young and daring man, was convicted of petit larceny in County Court when Mrs. Eleanor Zakarewski, 26, complained that she took him \$200 last January in exchange for a book for her and found that he deposited only \$100.

Pendergast claimed that the \$200 was all that had been given him.

Pa. Warns MCA It Must Be Licensed, Or Else; Applies to All Outside Agcys.

Philadelphia, May 14.—Anthony C. Sharkey, agent-in-charge of booking business for the State Department of Labor and Industry, yesterday (Monday) warned the Music Corp. of America that he would halt all shows booked by them in Philly unless the office applied for a Pennsylvania booking permit.

Sharkey said the warning applied to all out-of-state bookers and that a showman, long coming, would soon take place.

"We are fed up with the staffing tactics of the New York agents and we'll show them that we mean business," Sharkey said. Sharkey sent a letter to MCA quoting the state law and citing the possibility for violation. He would not discuss what steps he would take to stop shows booked by MCA.

It was pointed out by legal experts that the law in the hole for the state was the amendment known as the Pennsylvania Liquor Control Board which can be revoked at any state violation.

Sharkey is believed to have taken this action after being prodded by Philadelphia agents, who are disgruntled by his inaction. The local 15-percentage are barred at the fact that they are forced to pay \$100 license fees while out-of-town bookers grab the best spots without paying.

Marlene Dietrich

Continued from page 1

victory post in the making of the film because of his German nationality.

She's said to have refused to accept Forrester's "love romance" assignment, pointing out that a war of Italy's making did not "immediately" as act of God. She thereby implied that she was prepared to go through with her contract, in order to avoid a long drawn-out legal conflict. Forrester said, he decided to do the picture elsewhere. After prolonged negotiations with Italian authorities in the past few weeks, production was set for the modern Cinecittà Studios, in the outskirts of Rome.

Jack Forrester, American, long resident in France, where he was a stage juvenile before turning producer, arrived in New York over the weekend. He's due to go to the Coast soon to see Miss Dietrich.

Fleets Bismarck, which had been working seven nights weekly, since Mondays during the summer months.

Best Coffee in England

QUALITY INN

Leicester Square
LONDON, WEST-END

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BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
160 WEST 44th ST. NEW YORK
Regd. 9-7800

J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

Whitehead's 1 A's Label Suit K.O. on Technicality

Ralph Whitehead's \$100,000 suit against nine AAAA actors was dismissed on a technicality in N. Y. Supreme court yesterday (Tues.) by Justice Philip McCook. Leave to amend was granted.

Former secretary of the AFA and Edward Arnold, Paul Turner, Marjorie Thompson, Florence Martin, Emily Holt, Paul Delaney, Ed Harrison, Homer Fuller and Frank Gilmore, all of the AAAA.

ARBITER NAMED IN AGVA TALKS WITH CHAINS

In an effort to reach some sort of compromise, the American Guild of Variety Artists and the major vaudeville circuits have named Ben Golden, formerly with the State Labor Board, as mediator in their negotiations. He will attempt to work out some compromise of the 30-percentage week and the 10, bookery-commission issues. Figures the opposing groups may each be willing to give in on one of the points and get its way on the other.

AGVA this week signed contracts with four more shows at the New York World's Fair. They include Ripley's Odditorium, Dance of the Nations, the Hawaiian show and the Winter Wonderland live show. Various schedules for performances and working conditions have been set, and different wage scales have been worked out for the several spots. Rate for specialty acts at the Odditorium is \$42.50 a week. Principals will get \$25 a week, and chorus \$15 at the Hawaiian show, while principals draw \$75 and chorus \$25 for a six-day week in the live show.

Apparently the union will refuse to change its stand in regard to charging the same license fees to non-affiliated agents as the dues of the Artists Representatives Assn. AGVA had at first indicated it would require non-affiliated agents to pay \$25 yearly for association, but that stand was reversed a couple of weeks ago. ARA has criticized the latter decision, claiming it is a breach of faith by the union. Although AGVA officials would prefer to have all agents affiliated with ARA, they are declining to charge a fee for non-affiliated agents but they put the union in a compromising position. AGVA and ARA reps will meet on the question tomorrow (Thursday).

New Acts

NASH AND EVANS
Dancing, Rape-Spinning
4 Hines, Fall
Apollo, N. Y.

Nash and Evans are a young mixed team that show a flair for the type of work that synchronized Vitaphone and Dolly Dore. It's a tall and angular with a female sure about him, though the more jacket somewhat detracts from that impression. She's a tall booker. The bulk of the comedy rests on the boy's shoulders.

They open looking with their comedy dressed from the emphasis they place on their disparity in size; then they go into rape-spinning after he reels off a fairly good. Their finish, wherein they do multiple spins through a whirling team, is obviously meant as a parody of a couple of times for the most difficult effort it may have upon the audience. No question after much more hit the spot. They look like money.

CONRAD and DOLINOFF
Ballet
4 Hines, Fall
Roxey, New York

Karen Conrad and Alexis Dolinoff have appeared with several established ballet troupes, including Catherine Littlefield's, the Meridians and the recent Ballet Theatre. But this is apparently their first entry in professional business. Miss Conrad has had her first time in the spotlight in the very last. One of the top young ballerinas, she has skill, grace, style and looks. Dolinoff is a dutifully mannered support.

Reaction for this appearance is with a group of the Gas Funder girls, using a full stage. Conspicuous are undistinguished, as is the artist's choreography. There's room for more imagination in the staging.

Conrad and Dolinoff might be a real catch in class circles. Note.

Actors Fund

Continued from page 1

rently in hospitals are being helped. Cost of hospitalization was put at \$14,000, while money to the districts was \$10,000.

The Fund is endorsed, but the net income from a total of more than \$100,000 is not enough to fill the gap between takings and expenditures. There are properties in New York and Boston owned by the Fund, also some railroad securities which have declined in value.

Vincent was re-elected a vice-president, along with Miss Cornett, who has a similar post with the Percy Williams house. Sam A. Serfaty, treasurer, Robert Campbell, secretary, were also re-elected. Trustees for two years: George M. Cohen, Charles Dow Clark, J. Herbert Mack, Victor Fendler, Warren P. Munnell, Richard Sterling. For one year, Crosby Glips.

Rae White has opened three-weeker at the Mural Room, Bicker Hotel, Dallas. On May 21 some hotel will move Eddie LeBaron into the French Terrace.

Bills Next Week

Continued from page 41

Swanston & Pottin
Tues. & Thurs.
4 Hines, Fall
Apollo, N. Y.

James Jacobs
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.

Dear Boy
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.
Tues. & Thurs.

Frank Smith
Tues. & Thurs.
Tues. & Thurs.
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Tues. & Thurs.

House Reviews

Continued from page 17

STANLEY, PITT

carries her own accompaniment (trapeze and stands up an easy winner).

Five-year separation, until recently, hasn't had any effect on the duo's collaboration; they're still one of the most attractive dance teams in the trade. They're cute without being coy; their dancing is cleverly clever and it all has an air of slick musical comedy. Wind up with a cakewalk, the 1930s' dance. Bigger doing a solo while his sister makes a quick change, and it's a master, showy finish. You couldn't get a solid cluck all the way.

Next-to-climax spot is reserved for Pitt, not only because of the local boy-maker-good-angle, but also because his wide air and extremely athletic, him to that. It's a funny team—this Pittsburgh—which never met him a real break though he was just as good several years ago as he is now. Pitt's material might be worked up a bit but it's an altogether pleasant change and that with his broad-winner, Betty Lee, and he has a personable manner that overcomes his inexperience with the new customers.

His act on stage, with just half a dozen acts and only a smattering of balcony at gateway.

EMBASSY, N. Y.

(NEWSPERKS)

Emotional impact of this week's batch of news clips, though powerful in itself, is bound to be aggravated by the operator's knowledge of later events (the invasion of Poland, Luxembourg and Belgium) in which the same blight of horror has been spread by the Nazis. Two versions of the attack on Norway are available. The Nazi version comes by way of Fox, while Pathé presents a pictorial report of its own. They make a terrifying combination. The clips show the Nazi war machine sweeping along on land and air, laying havoc to the beautiful countryside, bombing towns and forcing the heavily armed to seek shelter in the woods. There are also scenes of Norwegian troops using all sorts of modern equipment in an effort to repulse themselves late some sort of defense and of injured civilians being brought in by ambulances.

At this particular showing the reactions of the audience were considerably more audacious than usual. The hissing and booing for things Nazi were plenty loud, with the intensity of Nazi sympathizers. If any, being conspicuous in the absence of applause.

Paramount contributes a clip recalling the death of Capt. Robert Lunn, military attaché to the U. S. Norwegian ambassador. The work before the same company showed him supervising Mrs. Harriman's car to the aid and her escape from the place to place with Norway's government. Now the clip shows the same group attending the funeral of the young officer, a heroic victim. Paramount also reports a appeal to the naval emergency at Harvill. Survivors of the disabled destroyers, the Eclipse and Hardy, are shown being landed in England. Some survivors until delivery one from Romania. It shows the King telling his subjects that the country is ready to meet the invaders.

Various newscasts are the source of a featurette telling of the military preparations that are going on in the French and British possessions. Included is a mapshot of General Weygand, the Allied commander in the Near East. This week's Hearst Theatre's War-A-Gram continues to picture the perils that Moscow

faces should he enter the war on Hitler's side. It is a well-crafted thing of its kind, this combination of stark clips, maps and running comment.

MAKING MY TIME

(PHILADELPHIA, PENNSYLVANIA)

Significance of America's interest in the Philippine Islands, portrayed in this new bit of chronicling, is doubly accentuated by the May 10 invasion of the Netherlands by Nazi. M. of T. editors undoubtedly were looking ahead and the drive through Holland obviously adds to the interest of the latest news. With the U. S. Navy near the P. I. and the Netherlands Indies, the attempted conquest of Holland by German forces might easily set off the spark contained in the two news.

March of Time supplements to the resources of the Philippines, latter's previous desire for independence and the constant sentiment now that the Japanese are casting covetous glances at the country.

Indecent activities of Japanese working to stain a football in the stands are graphically illustrated. The danger of Japan taking the Dutch West Indies and then moving on to the Philippines is highlighted, with present-day Philippine leaders not so sure they want to be cut apart from U. S. naval protection.

Subject is as timely as today's headlines, offering most exploitation opportunities for the alert exhibitor.

Shirley Temple

Continued from page 1

her, declaring, "We wouldn't take \$25,000 a week." They fear that the 11-year-old starlet would get lost in such a stupor and celebrity-makers as well as the fact it would entail too much work and bad hours. That eliminates the Fair in addition to theatre dates.

Shirley's 20th part was to run until July with an option for another year. It was valued at by mutual consent, with the kid getting \$250,000 in performance bonus. This is not a lay-off of her contract, but money due her according to the terms. It was put aside at the completion of each picture, to be paid her at the expiration as a bonus for fulfilling the terms. Many Hollywood contracts contain a similar provision.

ESTABLISH REVENUE

Hollywood, May 14.

Twentieth-Fox turns over around \$200,000 in bonuses to Shirley Temple. Money had been held in trust by the studio since 1936. When the mogul's contract was mutually terminated the main was imposed for her as a cost egg, in line with similar guardianship of minors' money at other studios following the dislocation of Jackie Cooper's fortune by his parents.

It is understood that contributing to the retirement of Shirley was fear for her health because she was underweight for her age and some too strong.

Her parents today rejected an offer for personal appearances at the Ritz, N. Y., this summer. Reap is operated by a 20th-Fox subsidiary company.

JOAN BLAIR

Playing 'Lulu Belle'

With Mary Kay

In "GO WEST"

Comedy THEATRE, Chicago

Still Ridin' The FOURTH WEEK

With 'Buck Benny' at the
PARAMOUNT, NEW YORK

JOHNNY

ROWENA

MASTERS and ROLLINS

Thanks to Harry Kalchauer, Bob Weisman and Gene Krupa

Per. Mgt. AL GROSSMAN

LEE

ILOMAY

SIMS and BAILEY

CURRENTLY

EARLE THEATRE, WASHINGTON, D. C.

Personal Direction: NAT KALCHEIM, WM. MORRIS AGENCY

Picking of Saroyan's 'Time of Life' Had N. Y. Drama Critics Steaming

Although the N. Y. drama critics won't say who among them were in the arguments that attended their selection of 'The Time of Your Life,' it is clear that the reviewers took themselves seriously, the atmosphere during the session being anything but cordial. It's indicated by one who preferred to glare over the discussion rather than participate that the proceedings were a series of wordy battles.

Selection of the William Saroyan play, which also got the Pulitzer award, is still the subject of argument in show circles. From a managerial standpoint there is interest because the winning play is closed, it being one of the few instances where a prize play did not get the benefit of the attendant publicity during the Broadway engagement.

Four papers commented on Saroyan's rejection of the Pulitzer prize, a group by the N. Y. Herald Tribune, but that daily had follow-ups on the matter. Spokesman for the Columbia University committee, which awards the Pulitzer prize, stated they were not aware that the author said he'd reject the prize if he won. It was stated that a check for \$1,000 would be sent Saroyan and, if he returned it, the money would go back into the fund. Also that the award would stand in the records, regardless. Incidentally, one report reveals that Saroyan once before turned down a cash award. He refused a \$100 O. Henry prize.

Most talked about drama on Broadway is 'There Shall Be No Night,' Robert E. Sherwood's work at the Alvin. Its late presentation was recognized by the critics, award being held back until it opened, but that it was not selected by either group is still puzzling. Known that some critics held out to the end for the Sherrwood play, one of the issues that steamed up the activities in the point of name-calling. 'Night' is rated the more impressive in light of war developments. However, the Saroyan edicts appear to have swayed some fellow reviewers.

'Life With Father,' still packing 'em in at the Empire, is understood to have been considered by the Pulitzer committee, but rejected on the ground that it is an adaptation.

Sunday (12) drama columns seemed to side the Saroyan selection by the critics. One reviewer, who held out for the Sherrwood drama, devoted most of his column to giving his high opinion of 'Night.' As for 'Life,' he said that Saroyan 'may yet draw even with the author's prophetic of his slightly hysterical champagne.'

The prize giving period was about washed up Friday (14) when the Drama League of New York awarded Paul Muni the Delta Austin medal for the 'most distinguished performance of the season' by his appearance in 'Key Largo.' Three edited awards were made: to Dorothy Stickney and Howard Lindsay for their play 'Life With Father'; Lee J. Cobb, in 'The Fifth Column,' and Rex Allen, in 'Juno and the Paycock.'

'Russian Bank' to Use 'Thumb Up' Costumes; Has Musician-Actors

'Russian Bank' is described as a drama with music, but there will be no orchestra in the pit at the St. James, New York, where it opens next week (22). The score will be played by Russian string instrumentalists who also have some part in the show, though the leads are principally played by Americans.

'Bank' was written by Theodore Komisarjevsky and Stuart Mann, the former being listed as the producer. Boris Said who operates the theatre is said to be the banker.

Costumes are said to be the same as originally used in 'Thumb Up,' produced at the same theatre five years ago. Eddie Dowling produced that revue, which dropped around \$5,000, and Said was one of those interested. 'Bank' was built by the late A. L. Erlanger and was called Erlanger's. Showmen anticipated moving his quarters from the New Amsterdam during a long controversy with Mary Klaw and vaults were built atop the house for the storage of records. The costumes of 'Thumb Up' were packed there in sampler until 'Bank' went into rehearsal, then being rewrapped.

'AUDIENCE ORGANIZING' COIN IS ALL GONE

Fund of \$1,500 granted by the managers for the purpose of 'organizing' suburban audiences has been expended. Several plans were tried to attract the purpose, but were discarded. Whether further attempts will be made to induce the hordes by such methods has not been decided.

Board of the League of New York Theatres decided Friday (15) to talk it over, that organization having financed the scheme at the instance of Frank Gillmore and Paul Turner, who aimed for the more or less mythical American Theatre Council. Showmen galloped for some time and decided to nullify the latest plans before agreeing to provide more money for that purpose. General opinion seemed to be that it is too late in the season to lure suburbanites to Broadway.

Two plans are being considered. One is to give a number to each 'subscriber,' who is permitted to call theaters and reserve tickets which must be picked up and paid for 24 hours prior to performance. If reservations are not called for within the time limit, the subscriber's name is stricken from the list. Showmen are skeptical, precedent being that too many phone orders are phony.

Second idea is for each subscriber to deposit \$5, as a sort of protection fee. That patronage would be privileged to make reservations by phone and could pick up tickets at late or certain times. Failure to do so would mean the forfeiture of the deposit. Managers are skeptical that any considerable number of customers could be attracted by that method.

3 HITS WITH \$800,000 B.O. FOLDING

Three hits which have piled up a combined total gross of over \$800,000 on Broadway and their runs this week and next. They are 'My Darling,' at the Sherrwood; 'My Dear Children,' at the Belasco, and 'The Fifth Column,' at the Broadhurst. 'My Darling' is slated to tour in the fall, while 'Column' will reopen on Broadway and later go on road. 'Children,' which had a long tour before reaching New York, is apparently calling it quits.

'My Darling' will have rung up \$50 performances for a total gross of about \$800,000. 'Children' will have reached the 123-performance mark on Broadway, with a total gross of approximately \$100,000. It previously grossed an additional \$100,000 in 20 weeks out of town. 'Column' will have played 11 weeks for an estimated total gross of \$145,000. 'Children' and 'Column' close this Saturday (18) and 'My Darling' winds up the following Saturday (19).

Richman's 'Follies' Off; Wheeler Into Strawhat

Talk about Harry Richman swinging and appearing in another edition of 'Dreadful Follies' for the Sherrwood, with Bert Wheeler and others, is off. Richman is going into the Chex Palace, Chicago, and other cities, and Wheeler is going into summer stock.

He will try out a new play by and for Philip Goodman (LHM 'A. P. Goodman's Law' at Manhattan, N. J. Wheeler will also do a streetcar version of '3 Men on a Horse' at the same place, later opening July 8. Edgar MacGregor will stage the new Goodman script.

Richman Visits Sept. 14, Chicago, May 14.

Harry Richman will replace Sophie Tucker at the Chex Palace, starting May 22.

Miss Tucker will direct around town for week stand in the candle Oriental starting June 1.

Ellison's 'Circle' Revival

Hollywood, May 14.
Clifford Ellison, former manager of the Savoy, San Diego, is planning a revival of Somerset Maugham's 'The Circle' with a cast of his names. Figures on opening it have late in the summer and taking it into Chicago about Sept. 1. Broadway would follow.

Ellison went to Chicago last week, but is due back here soon.

St. L. Legit Got 320G This Year; Tops Since 1927

St. Louis, May 14.

Local 1939-40 legit season, totaling 11 weeks played by all shows, ended at the American two weeks ago, grossed approximately \$200,000, the highest mark since 1927-28. Much of the success of the season is attributed to the Playgoers of St. Louis, Inc., a non-profit organization formed to revive legit here, which is readying a campaign to double the current membership of 1,500.

The success of the season just closed was achieved despite the worst winter in many years.

Claim is made that the American did the best weekly average business of any one-week stand in the country last season, and a move is afoot to take this brag out of the single-week category by having extended runs of such plays as 'The Man Who Came to Dinner,' 'Life With Father,' 'The Male Animal,' 'Hellzapoppin,' etc., which have been booked for the 1940-41 season.

George White's 'Scandals' topped the blue ribbon for the best business last season, grossing an estimated \$72,000 for the one-week stand. Bill Robinson in 'The Hot Mikado' was runner-up, grossing around \$50,000 during his initial stand and \$100,000 when the piece was brought back several weeks later. Efforts were made to bring back several other pieces that proved to be losses, but previous bookings prevailed.

The yearly perennial, 'Tobacco Road,' will open the new season Sept. 21. It will be the seventh time 'Road' has played the American.

'American Jubilee' Puts Up Record Book Of 20G With Equity

Major attractions at the World's Fair under Equity's jurisdiction are required to file salary guarantees, just as applied to legit attractions, with some slight variation. 'Road for 'American Jubilee' is the largest ever to be filed with Equity, it being for \$20,000. Such books are supposed to cover two weeks per, but in the case of 'Jubilee' that does not apply. The weekly salary list for the Fair's largest show is estimated to be around the amount of the bond.

Harvey H. Gibson, the Fair's head, was advised that his signature would be acceptable because the attraction belongs to the Fair itself. Gibson stated he preferred not to enter into such an arrangement, because it would make him personally liable, and expressed preference of filing a bond. Equity explained that priority of a higher sum would require a securities not then under the circumstances. 'Railroad on Parade,' which is still in open at the rail lines exhibit, will file a salary bond at last season. Bond was for \$15,000 in 1939, but the amount is now approximately \$18,000, since that attraction has lowered its operating expense.

Guarantee for 'The Bowels of Paris' is \$10,000 it being in the form of a check backed by Michael Todd. Last season the latter was in dispute with Equity over 'Hot Mikado' and a salary guarantee was never posted. Equity accepted the signature of Todd. Bill Robinson and Marty Parkins, which was dropped single production since Robinson was interested in the show. Robinson's transportation, however, was posted in cash before the show went on tour.

Bankhead Situation in Equity Quiets Down; Talu Solos on Council Ticket

15 MINNESOTA TOWNS IN NEW STOCK CIRCUIT

Minneapolis, May 14.

Minnesota Stock company has been organized here by Henry Adrian to present seven plays, new Broadway offerings as they're available and revivals in Minneapolis and St. Paul and 13 other Minnesota towns next fall and winter. Costs will be entirely professional and company will include Marie Gale, widow of A. C. 'Boss' Balchord, and for many seasons leading lady of the Shubert theatre stock in Minneapolis.

After a half week each in Minneapolis and St. Paul, the plays will be sent on a tour of the circuit which includes Duluth, Albert Lea, Austin, Brainerd, Fairbault, Hibbing, Marquette, Becker, St. Cloud, Virginia, Winona, Farina Falls and Red Wing.

LEGIT RELIEF LOSES FIRST ROUND

Washington, May 14.

Renewed fighting over extension of work relief to jobless actors is one of the chief controversies accompanying consideration of last year's appropriation for the unemployed. First round resulted in a setback for the theatre people, although there is still some uncertainty just what effect certain language in the appropriation bill would have.

Request for removal of the set has against spending any Federal money to help produce shows was made to congressional House Appropriations Committee a couple of weeks ago by an Equity delegation headed by Peggy Wood. Until the bill, carrying \$175,000,000 for the first eight months of the coming fiscal year is formally reported, vocal status of the theatrical group will not be known, but it is known the provision was not particularly warm and critical Representatives voiced fear that lifting of the present restriction would result in another program like the Federal Theatre Project.

Congress still looks on legit as wasteful in any thinking of thinking that the bulk of actors, playwrights and directors are definitely radical and immoral. Since there were just enough controversial presentations with the Memoirs of Helga Flamman to provide an excuse for criticizing the whole venture, any mention of Federally-supported theatre comes under attack about 'Communism' and 'immorality.'

Strong arguments were presented by the Broadway delegation that the existing law is decidedly unfair and theatre people are victims of discrimination.

First reports from behind the committee's closed doors were that the theatrical players joined their point. But more reliable information is that the existing law not only is to be re-examined, but even extended to cover painting and music proper.

Even if the bill when presented contains a restriction, last year's controversy will break out again. In the House, Representative Emanuel Celler, one of the Theatre-frienders, is due to offer an amendment that would permit earmarking of relief funds for theatre workers, if he does so is probable—the bill will be reported to the Senate Appropriations Committee. An attempt to get the money can be expected in the upper chamber by Senators Claude Pepper and Robert Wagner, who made a desperate effort last year to keep the FTP going on a limited basis with reforms in operating policies and methods.

The Broadway-frienders have the active support of Col. F. C. Harrington, now leading the Work Projects Administration. He appealed for abandonment of the restriction enacted last year because of dissatisfaction with the way Mrs. Flamman ran shows and protests about propensities of various New York politicians.

Situation created in Equity when a petition was suddenly filed placing Tallulah Bankhead in nomination for the council has quieted down somewhat. Partial relief, however, has not been dispensed. Status of the 'Independent ticket,' carrying only Miss Bankhead's name, was mailed out after she definitely agreed to be a candidate. One Equityite stated: 'She has no following, but no supporting cast.'

Instruction on the petition read: 'You are not voting for an entire council, but only for one councillor.' Members who voted for Miss Bankhead will be required to scratch one name from the regular ballot. Election will be held May 24, but ballots are to be mailed any time prior and up to that date.

When the petition was considered by the council last week there was considerable discussion, it being argued that it was improper as in form. Philip Lusk, who is of the militant group formerly known as the Actors Forum, took a surprising stand and favored the petition's acceptance. Had he not done so, it would probably have been thrown out.

Lusk attributed the petition to a 'minority clique' among the regulars. Lusk was to withdraw from Jaffe from the council nomination and substitute Miss Bankhead. That portion of the petition was ruled out. But those who started the petition asked Jaffe as to his views they might have found themselves in error. Paul Turner, council stated that it would be proper to have Miss Bankhead and Jaffe as sole opponents, but Lusk convinced the council such a move was definitely out of order.

Petition on Time
Turner also ruled that the petition was filed within the time limit, although the records disagree that is (Continued on page 51)

'Girl' Is Now Set With Equity and Rehearsing; Author Puts Up Coin

Involved situation which twice caused a halt in preparations for 'It's a Girl' has been cleared up and the farce is back in rehearsal at the Fulton, N. Y. When the show was first mentioned, Paul L. Berny announced the rental of the theatre for a year. After the show got jammed up with Equity, attorney for the property stated the deal was off.

In the interim other names entered the backing. J. J. Larnach in particular. Reported that he might take over 'Girl' for the Lyceum, which suddenly went dark Saturday (11) when 'The Stronger Pig' stopped there after one week work. Larnach backed 'Fid,' presented by one William Hays.

Berny and Richard Hall, latter heretofore not known in show circles, are named as the promoters of 'GIRL,' but its author, Joseph L. Hochman, provided the team that equated matters with Equity. Originally \$1,000 was posted (over, money said to have come from Hochman, it being his first play. When bankroll trouble first arose it was claimed that a partner who was supposed to invest suddenly dropped dead.

When rehearsal pay was taken out of the money at Equity, latter demanded the guarantee be replenished. At first the author's profits were withheld, but when he later assumed responsibility for the entire show arrangement was made. Cash has received pay for three weeks' rehearsal to date, Equity ruling that such money was due during rehearsals because that was not the fault of the players.

Berny figured in a play called 'When the Bough Breaks,' done at the Little by him and Peggy Chery a couple of seasons ago. It had three performances and was regarded as among the 'worst' work.

Management also has its troubles with the Theatrical Managers, Agents & Transmitters union. A grievance must be engaged two weeks prior to opening, and now was per day at the rate of \$150 weekly, but no action yet. During the layoff a union of agents was mentioned and the union figured \$200 was due, the extra \$50 for pay during the suspension of rehearsal. A compromise is expected to be made.

OBITUARIES

ALEXANDER BLACK

Alexander Black, 81, newspaperman, novelist and director of a method of dramatizing historical events by a recitation of specially prepared dramatic continuity—popularly known as "picture plays," the predecessor of modern motion picture picture plays—died of a heart attack May 3 at his home in New York. On May 1 he suffered a paralytic stroke while riding in a taxi.

The early film, which served as the instructor of Edison's Kinetograph, also saw the development of Black's technique in tracing screen drama. Before a distinguished gathering in a New York studio on Oct. 3, 1914, he offered the first full-length screen play, "Miss Jerry," the tale of a great reporter.

In a darkened room, still even projected upon a screen at the rate of four a minute. A story accompanied the interesting with a description of the narrative. Though by no stretch of the imagination, could his 14,000-word scenario duplicate the action and smoothness of a modern script Black's initial effort was such acclaim that he went ahead with plans for another feature. This was known as "A Capital Courtship," with its locale centered about Washington. It was shown three years after "Miss Jerry" and its cast included President Grover Cleveland, Thomas H. Reed, then Speaker of the House, and the British Ambassador.

Black spent five years in furthering the "picture play." He acted as writer, producer, cameraman, director and exhibitor. Under the impression his type of entertainment would prove a failure if offered to the general public, he withdrew from the field near the turn of the century.

A photography enthusiast, he was a reporter on the Brooklyn Times, Sunday editor of the New York World and in 1912, joined the Newspaper Picture Service, with which he stayed for seven years. In 1918, he went to King Features Syndicate as art editor and remained in that capacity 13 years. His books included such works as "Photography Values and Out," "American Humors," and "The Seventh Angel."

Survived by his second wife, Miss Edith O'Dell whom he married five years ago. His first wife, Mrs. Elizabeth Black, whom he wed in 1911, was killed in an automobile accident in 1924. Three children by his first marriage also survive.

HENRY B. GENTRY

Henry B. Gentry, 51, founder of the Gentry Bros. dog and pony circus, and former manager of the Sells-Floto circus, died at his home in Birmingham, Ind., May 7.

Gentry, whose first job was as a groomer's helper, left that job to join Professor Morris' trained animal circus. Four years later he assembled a troupe of trained dogs and formed his own show.

The Gentry circus, organized in 1908, eventually expanded into four 10-car shows and for 25 years its name was a household word to circus fans throughout the U. S. Reliving in 1933, he returned to the U. S. in 1935 for four years as manager of the Sells-Floto circus, then controlled by the late Frederick G. Sells and Harry Tamen of Denver. One of his last ventures in the circus field was his purchase, in 1938, of the Sells circus, which he operated for several years.

He had three brothers of whom but one, Frank, survives. He also leaves his widow, Mrs. Grace Gentry, a son, two daughters and three sisters.

JOHN J. LONG, JR.

John J. Long, Jr., 31, chief engineer of WHAM, Rochester, N. Y., was killed instantly, and Robert M. (Bibi) Hennings, radio and dance band pianist, critically injured last week (9) in an auto crash.

Hennings had played at an entertainment in Newark, N. J., and Long was taking him home when car hit a steel girder in a railroad underpass near Pittsford. Long was thrown into the windshield and Hennings suffered a broken left leg and possible skull fracture. Taken to Genesee hospital, Rochester, his condition was reported "poor."

ROSENA KLAUBER

Rosina Klauber, 72, the last surviving female pupil of Franz Liszt and who was George Gershwin's first piano teacher, died May 13 at the Park West hospital, New York.

Born in Budapest, Mrs. Klauber was graduated from the Hungarian

National Academy of Music in 1888. After touring Europe with other pupils of Liszt, she began a career in the early 1890's, using her maiden name of Rosina Beda.

Appointed head of the piano department of the Davenport Institute, N. Y., in 1910, which later was absorbed by the Juillard school of Music, she numbered such composers and conductors among her pupils as Gershwin, Nat and Jack Shostakovich and Harry Akst. She retired 18 years ago.

Two sons, Edward and Harry Klauber, survive.

A. C. FERGUSON

(Grandpa Jones)

A. C. Ferguson, 55, known on stage and radio as "Grandpa Jones," died at Brookline General Hospital, Brookline, of cancer, May 8. He had been appearing on the WGBL low band radio for six years. His specialty was a soft shoe dance on radio.

In addition to his radio work in recent years he had traveled through the Midwest with his own stage troupe.

Besides his mother, with whom he resided in Des Moines, he is survived by a brother, Edward, of Detroit, Mich.

CHARLES F. HINDLEVOSE

Charles F. Hindlevoe, 71, playwright and author, after an illness that first became serious several months ago, died in Atlantic City May 12. A heart attack was the direct cause.

Included among his plays were "Madame Pompadour," "The World and His Wife" and "First Lady." Among his books, "Maques and Mummies" was probably his most successful, being a bestseller at one time.

Once drama critic of the old N. Y. Herald, and also an editor of the Illustrated American Magazine, he was unmarried.

MARSHALL G. MCCABRELL

Marshall G. McCabrell, 31, Paramount News cameraman, was killed Thursday (13) when a chartered plane in which he was working at Des Moines, Col., getting shots over a landing field there, crashed into another plane. Walter Quisenberry, who was piloting the plane, also was killed.

With Paramount News 12 years, he originally started as a sound technician. Survived by widow, father and mother.

SAMUEL EARLEY

Samuel Earley, 34, managing director of the Benjamin Franklin hotel, Philadelphia, died Wednesday (13) in the Jefferson Hospital, Philly, of influenza.

Business associates said he had become weakened from overwork in connection with preparation for the Republican National Convention. He was active in that regard as president of the Philadelphia Hotel Association.

* JOHN A. BRUGHERY

Funeral for John A. Brughery, stage technician with Irving Berlin's "Louisiana Purchase," stricken with a heart attack as show was leaving Washington for Philadelphia Sunday morning (12), will be held here tomorrow (13). He lived in suburban Allentown and for several years was stagehand in A. C. Convention Hall.

Survived by widow and brother, Edward, assistant manager of Convention Hall.

SIGMON MARTINO

John H. Chazy, retired circus trapezist known professionally as Sigmon Martino, died of a heart attack May 9 in Norwich, Conn.

In addition to appearing with the New Orleans minstrels, he toured with Waskow's circus, the Hayward circus and the John L. Sullivan circus.

Widow survives.

W. C. MEAGHER

W. C. Meagher, vet Seattle theatre official, for years with Jenson-son Herberg and later Henschel-Evergreen offices, died here May 8 following a three-month illness.

A native of San Francisco, he came to Seattle in 1900 as auditor for the Sullivan-Connell radio station. Later, he managed the Avenue theatre, Vancouver, B. C.

Widow survives.

DALLAS M. FITZGERALD

Dallas M. Fitzgerald, 52, former film director, died May 9 in Hollywood. Beginning his directorial ca-

reer in New York, Fitzgerald moved to California to handle independent productions for May McKay, Clara Bow and other silent stars.

Later, he worked in the Bob Steele series under Harry Webb. In recent years he had been a freelance writer. Widow survives.

SAMUEL DAVIES

Samuel Davies, 56, who retired four years ago after 24 years with RKO as theatre maintenance superintendent, died May 10 at his home in Brainerd, N. Y. He was a familiar figure at the Palace, N. Y., where he served for 14 years.

Surviving are his widow, Mrs. Estelle Phillips Davies; three daughters and three sons.

GOTTLIEB H. THOMAS

Gottlieb H. Thomas, vet motion picture theatre owner of Elmhurst and Corning, N. Y., died in New York May 3. He had operated the Elmhurst, Elmhurst, Elms, Elms and Corning Opera House, Corning.

Survived by widow, two children and grandchild. Funeral in Elmhurst May 8.

CHARLES (TINA) PERMANE

Charles (Tina) Permane (nee Shelley) died in Milford, Mass., April 22 after several weeks' illness. He had been a convertible player.

For the past eight years Permane had operated a roadhouse in Milford. Widow and son survive.

EDWARD WITTECH

Edward Wittech, 52, musician and composer, a member and organizer of the Wittech band, prominent in the midwest a half century ago, died May 8 in Circleville, O., where he lived all his life. Two sons survive.

ETTORE BERTI

Ettoire Berti, 78, Italian actor who once appeared with Eleonora Duse, died after a lengthy illness in Milan May 7.

In later years he had served as professor of elocution at the Milan Theatrical Academy, Milan.

FRANCIS POWERS

Francis Powers, 54, producer, director and assistant of silent pictures, died May 10 in Santa Monica after a short illness.

For years he was secretary of the old Motion Picture Directors Association.

JAMES E. VISOBY

James E. Visoby, v. p. and general manager of Puritan Springs park, northeastern Ohio amusement center, died May 8 in Lutheran hospital, Cleveland, following a heart attack. Surviving are widow, daughter and son.

ALICE BURNS

Mrs. Alice Burns, 52, motion picture actress, died May 8 in Hollywood.

Mrs. Mike Colles, the wife of the Los Angeles manager making headquarters at Columbus, O., died in Miami, Fla., Monday (13). She had been ill for some time. The Colles were on vacation in Florida.

Mother of Morris and William Finkel, vet Pittsburgh exhibitors, died in Miami May 9 after a long illness.

Father of Ken Hunt, assistant publicity director of Harry Aron Co., Pittsburgh, died suddenly at his home in Akron, O., May 8.

Charles A. Fisher, 55, former opera singer and later a teacher of music, died May 3 in Los Angeles.

BIRTHS

Mr. and Mrs. Orde Nelson, sm. in Tenaruk, N. J., May 8. Mother is Harriet Hillard. Six actors and comedians with Nelson's band.

Mr. and Mrs. Lester Ryan, daughter, in New York, May 8. Mother is the former Babe Clarke, of vaude; father is with Vaudeville act, dept.

Mr. and Mrs. Lou Ogul, daughter, in Brooklyn, May 8. Mother is film writer; father is given agent.

Mr. and Mrs. Joe Tucker, son, in Pittsburgh, May 8. Father's sports commentator on WWSW, Pitt.

Mr. and Mrs. Ed Finney, Hollywood, son, May 12. Father is a producer of westerns for Monogram. Mr. and Mrs. Frank Carey, son, in Los Angeles May 12. Father is film writer.

Mark Warner will lead a band composed of the combined units from 17 schools in the New Rochelle, N. Y., area May 24. He's taking the winning off from his "We the People" radio broadcast to fulfill the appointment, which is sponsored by New Rochelle's Clubs and Chamber of C.

Literati

Continued from page 24

Wednesday (13) in Camden Municipal hospital of pneumonia.

Alfred Eugene Mathley, 38, stage and screen editor of the Winnipeg Tribune, died suddenly at his home in Winnipeg Monday May 6.

News Newark, 62, former press of the Philadelphia Record Co., publishers of the Philadelphia Record, died Sunday (12) at that city. He began with the Record as an office boy, serving on the old N. Y. Globe and the Washington Herald before returning to the Record as its top man.

William Segalen, 54, ship news reporter for the N. Y. Sun for 24 years until his retirement 12 years ago, died Sunday (12) in N. Y.

Marvin De Haven Tracy, 50, columnist for the Boston Traveler, died Saturday (11) at Fitchburg, N. C. He served the United Press in New York, San Francisco and Los Angeles before joining the Boston paper.

CHATTER

Garden City Publishing Co., Inc., Garden City, L. I., has merged with Blue Ribbon Books.

New York press photos have elated Marvin J. McElilly, of the Daily News, as their new press.

Robert Ashbury completing time on Chicago legged "Gem of the Prairie." He's written several stories fought for film.

Petrus Sapiela, of Poland, arrived in N. Y. from Europe with her two children. She is the author of "Polish Profile," story of wartime Poland, just out.

Bill Padawan, eastern story editor of Metro, was taken into the Editors Luncheon Club last week. His first film man to be accepted into the exclusive organization for editors of publishing houses.

Bernard Perry has switched from the Dallas editorial staff to that of Vanguard Press.

Carl Canfield, the Harper head, has gone to England, despite the war, to look in on some of the arm's archives there.

Howard McCann has brought out Philip Barry's play, "The Philadelphia Story," in book form.

Pete Seashore, the N. Y. World-Telegram music critic, parted by Naamides for a long of Kirsten Flagstad.

Alfred Richert added to the Dell Publishing Co. editorial staff.

In the U. S. for the past few months because of lecture commitments, H. R. Knickerbocker finally topped a best to report the proceedings over there for the Hearst papers.

Annie Berett Moorfield started the new press of the Woman's Press Club of New York. She will serve for two years.

Ernest Hemingway in Cuba, publishing of a new novel.

John S. Goldstein gathering data for a long of Edwin Markham.

Not Panicked

Continued from page 4

that their life was at a standstill due to lack of material, authorities issued a special emergency license for 2412 pounds of film, negatives, sound and dubbing equipment drawable on the second period. This was distributed in various amounts among the various districts.

This week they permitted Americans to withdraw the difference between total taken out on March 23 and the total amount permitted in work on first-quarter licenses. Although the number of pounds is unknown, it is reliably learned that the latest withdrawal has only added RKO and Warner since others had already withdrawn amount allowed them from customs. Despite these withdrawals, districts of American films are woefully short of pictures.

Low Countries' Film Biz 3% of Foreign Market

Real invasion of Belgium and the Netherlands is disrupting all American distribution in those countries. No matter the volume of the present drive by Germany, N. Y. film officials agree that market temporarily lost. Belgium-Holland business is rated as being 3% of total foreign revenue of U. S. film companies, almost equally divided. Reports from Luxembourg are negligible.

Total absence of any ratings from any cities in any of Europe nations hit by the Nazis left New York officials up in the air as to any damage injuries to personnel, etc.

JENKINS BIG-BERTILAS ANDERS IN 3D ROUND

By JACK FULANKI

The upset of the season came off at Madison Square Garden Friday (14) when Lou Ambers was knocked out in the third round by Lew Jenkins in the third round by Lew Jenkins of Texas, who thereby won the lightweight championship, although the odds were three to one that he would not win. Fans and experts thought the match would go the 15-round distance because of Ambers' crotchets. He was dropped four times and was out on his feet when the referee stopped it.

Fight was emotional, emotional almost for the Garden's two previous had cards. Customers climbed the seats in the excitement and surprise of seeing the first Hurtling; N. Y. hit the deck. He had been dropped before but never stopped.

Ambers seemed to have some of his strength and, while he offered no sibs, it is generally understood that he was weakened by making the 125-pound weight limit and said later he would go after the writer title. Lou's speed and brawls, which stamped him as one of the best of fighters, didn't mean a thing to Jenkins, who has a fierce look in either hand. Another factor that may have had a part in the Jenkins victory was the fact that Ambers is said to have been treated for a serious kidney condition last week on the G. L. though the word around Broadway was that it was just a routine hospital checkup.

New champ is a strong left who started fighting when he was in the army and quit the service when he discovered what he could do with his fists. He has appeared around New York before, generally winning by the knee route, but that he could tag Ambers appeared incredible. Upstart, who topped the title from Armstrong last summer in a disputed encounter, held the respect of all fight followers.

They rated him highly, too, on the ground that he can take it, but that didn't go when Jenkins landed out a one-two in the first round, the right sending Lou down. In the second round, a left hook to the head had the same effect and the crowd was amazed. After the left rang ending that session, the Texas delivered a terrific right on Ambers' chin and latter wobbled to his corner. It was the same kind of out-of-bounds blow that started Joe Louis to defeat when he first met Max Baerling. Ambers said he didn't remember getting hit, which indicates how muddled he was right then.

Soon after the final third started, Jenkins had the then-champ at the canvas and his manager, Al Weill was alarmed, waving for him to stop. A few seconds later Ambers took a nice round. Upon arising groggily, Weill raised his arm in appeal to save the boy from further punishment, but the referee had already decided to do that.

Fight went on at 9:30, being pushed ahead because all stations were sending out the President's speech at 10:30. Two other matches went on and the first remained and listened to the address, which was played on the Garden's amplification system.

MARRIAGES

Jerry Matthews to Gertrude Gower, in White Plains, N. Y., May 8. Bride is stage and screen actress; he's the son of the late president and director of Vassar.

Lynn Hayden to Ed Behan, in Hollywood, May 7. Bride is a model; he's a gag writer for Jack Benny.

Gertrude Assany to John Blodgett North, in Philadelphia, May 12. She's a French film star; he's executive head of Blodgett Bros., Barron & Bailey Circus.

Mary Johnson to Gene Murphy, Low publisher in N. Y., May 10 in Chicago.

Helene Diller to Michael Hiam, in Asheville, N. C., May 4. Green is composer; bride is vocalist of WWNC, Asheville.

Edwin Palmer to Lester Tremayne, in Chicago, May 8. Green is in "First Nighter" program; bride was formerly with KGW, Portland, Ore.

Steve Swedish band set at house with for the Modernistic ballroom at Wisconsin State Fair park for the summer, opening May 26. Rumor: Sam, first time in Milwaukee, will be heard with him for the opening, and the same bands will perform every Sunday.

Broadway

John Ralston and for several weeks.

Sara Bright off to the Coast with a visit.

Collette D'Arville, French singer, called for Paris.

Edith Wyle returned from Coast. Will handle comedy novelties.

W. J. Merrill, RKO's p. manager, back from two weeks' vacation.

Arthur Unger (Vander) is from Hollywood for a couple of weeks.

Ira Tulgan of Warner publicity department, resigned Friday (13).

Former Mayor Jimmy Walker, 5, of N. at the AMPA luncheon May 11. Jimmy and Eleanor Strachan getting ready to celebrate 25th anniversary.

Helen, Bessie (Mrs. George Sumner) in town for a couple of weeks.

Bob Guilham left for Chicago Monday (13) en route west for Pat sold concert.

John Markham at Will Rogers' Memorial hospital, Saratoga, for six months' stay.

Salma Salom, formerly dramatic editor of the Boston Traveler, calling from Paris.

George West, Monogram franchise holder, planning to visit the Coast in about two weeks.

George Walsh ready to tie off on a campaign in the mountains prior to laying future plans.

Billy Field has finished his Guatemala vacation and gone to the Coast for a summer's work.

Newspapermen shopping men at guests at Father McCarthy's St. Christopher's Inn, Garrison, N. Y.

Elise Fiam, Mrs. critic of the Philadelphia Record, and Lee Frank have written a legit comedy, "The Black Love."

Philip MacDonald is from the Coast to remake in New York indefinitely. Working on a play and a novel.

Evilyn Wright has up and a week summer shop on the east side of town, retiring permanently from show business.

Bill Owen giving up his N. Y. agency venture and returning to the Coast. He was a former aide to Darryl F. Zanuck.

Beth Brown sold two stories in one day to Republic. "Agad Night" and "William for Barabara," both slated for early production.

Marion Jackson, Met soprano, and Willie Waldorf, N. Y. Post dramatic editor, have taken a summer place near Brewster, N. Y.

Colbert restaurant, East 45th, had voluntary petition for reorganization, listing assets of \$151,290 and liabilities of \$113,573.

Following the lead of Frank Cox, of the Algonquin, Bob Christy, hotel artist manager, is doing a book, "Through These Portals."

Henry Tobias, singer-in-c, long entertainment director at upstate N. Y. summer resorts, now owner of Cedar Country Club, Lakeville, Conn.

Edith Russell in and out over the weekend, seeing a show at two and three back to Chi with the Marx Bros. on their pre-Met film trip of page and material.

Aqueduct management requested deferring reviewing the final show Sunday night, but the sudden downpour automatically vetoed that. From press tonight (Wed.).

Nick Holde's staff for "American Jubilee" includes Doc Hood, John Yarnall and Mike Cavanaugh. Charles Washburn is p.m. Ben Warner as the advertisements.

Wally Cohen, Warner Bros. Canadian district manager, back to Toronto over the weekend after handling with Ray Haines, editor and Canadian sales chief, in N. Y.

Lou Johnson of Metro, president of the Film Exchange Employees Union, lost his right eye at Manhattan Eye and Ear Hospital, following an operation to remove a growth.

Connecticut open-house week continues at Bushnell Park. Hartford will be broadcast by NBC Sunday afternoon. James Mifflin, Ann Kathan and Walter O'Keefe participating.

Bessie Lowenstein, club leader of Oklahoma City, narrowly escaped the gas explosion at the Park Central hotel Thursday morning (9), being within a few feet of it when it happened. Numerous persons injured.

John Ringling North was so anxious to greet German actor, Alvin, his French film actress-belle, when she arrived from Europe (9) that he went down the bay on a Coast Guard cutter to board the ship at Quonset Point. They were married in Friday Saturday (11).

St. Louis

By Sam E. Merrill

St. Louis WPA work, under banner of Frank Pomeroy, has begun series of public radio concerts.

Violinist Goldschmidt in New York to direct City Symphony with in Carnegie Hall Sunday (15).

Orrin Tucker head plus Bonnie Baker, play one week at the Fox theatre, starting Friday (12).

Alex. Pappas, indie exhibitor, preparing the extended visit to California because of poor health.

The Children's Theatre, organized under direction of Mrs. Ruth Kelen

Andrew, will present initial effort, "Peter Pan."

Steve Cady will shorten his local story May 22 for the season and open the Country Club in adjacent St. Louis courts.

The Exchange Building Corp., Detroit, has started work on the new Paramount Exchange building on this corner. \$20,000 has been earmarked for project.

Ralph McGowan, who managed the Paramount, L. A., now advising Harry C. Arthur, Jr., in directing sale of St. Louis Amos. Co., operated by F&M.

George Waggoner has resigned from the operating dept. of F&M Service Corp., and is now associated with the Boardman's committee, which owns 52% of the St. Louis Amos. Co. stock.

William Beahm, no va. with the Ballet House last winter, copied plays in Municipal Theatre Algonquin. Beahm has begun for season that starts June 1 with two-week run of "The American Way."

"The Last Revolution," an original comedy in three acts by Ben F. Oskowitz, native, will be premiered at Little Theatre starting tomorrow (Thursday). Jane Carter, wife of Gordon Carter, director of Little Theatre, will play lead.

Paris

By Joseph H. Rorvick

Harry Lartigue, Cox director, (1) with group.

Talk of picking up work on "Bismarck" with Jean Gabin.

Georges Millaud making comeback in next Cirque Medrano show.

Maurice Lelievre, United Artists agent in Lyons, has received the military medal.

Mme. Alphonse Daudet, widow of author of "Sappho," and herself a writer of note, died at 88.

Nicolas Hapet, French poet, cameraman, demobilized and back in trade surely needing technicians.

Legislator, Perennan de Dalmat, (1) in Lyons' reached in 1938 performance at the Palais Royal.

Agad Cyriel Smet leading cast in Jacques de Bernart's "Les Nouveaux Poemes" (The New Poems).

French inaugurated new Radio Ploie (Belgium) service with South America, cutting down transmission time by 50%.

Grace Fields and Jack Hyman to the front to entertain B.E.F., returning April 27 for benefit show at Salle Pleyel with Maurice Chevalier.

Pierre Frenoy has obtained special leave in Paris giving his part, "Le Duet," in which he appears with Yvonne Printemps, Raimu and Raymond Rouleau.

French - German - English - Italian speaking film Paris, which appeared in some of the best French films in last 10 years, can't get a spot in any film due to fact she holds German passport.

Colored documentary, part on French prisoners, artistic measures, calligraphs and industries being used to work up soldiers' enthusiasm. Being prepared in war zone under title "What We Are Defending."

Origin of rumor that Ledaia Hovet-Belche and Jacqueline Dubouché (Ledaia) Gaudy's second wife had married in Cassey probably due to fact that Britisher was constantly in French actors' company when in France. Marriage has been vigorously denied.

Pittsburgh

By Hal Cohen

Edith Teyton going up tourist camp life.

Pittsburgh Severance winding up season this week with "Boysiegers."

Theresa Barbara Long has drawn third extension in her stay at York Club.

Wallace Burr show in this week-end in case the 1940 season comes later.

Bobby Coyle has shaved plan to build a new theatre in Charleston for the present.

Ann Curtis back at George Joffe's Casino for her second visit of the weekly season.

Wife of Jack Graham, city television for RKO, died last week in West Penn Hospital.

Expanding office engaged from New Yorking league cup this year to single-game margin.

Julius Legation, U. S. sports manager, and the present chairing off for Florida in a few days.

The Dick Stables (the) managers of Bismarck Hall hotel are back from their honeymoon in Cuba.

John Kennedy here for couple of days to visit relatives en route to Hollywood to begin WB contract.

Theatre manager Bill Davis transferred from Washington, Pa., temporary in Vito hospital in New York. First Burkhart left for New York Monday to line up plays and players for his summer season at Gateway.

Budley Ruth in from New York to help Christy Whitely wind up preparations for "Li Burell" season tonight (13).

Art Mizzone and Mike Shapiro back from Mineral Wells, Tex., where they went to camp from Variety Club meet in Dallas.

London

Author Lindell's "Panic" left \$10,000.

Edmond Dally and Betty McCormack, non-professional.

Clifford and Marion are the only American art in "Garment Theatre," the Jack Hyman show.

Having completed his role in the "Mystery of 11th Hill" and film, John Mills has rejoined his regiment.

The Silver Palace closed at the New Theatre after a month. Show met its young female promoter \$10,000.

The prince of Warner, the newspaperist, having been asked in Germany, he is now engaged in building war equipment.

A concert at the Stratford Hill Theatre is being organized for the local Children's Fund for war services in the town.

Hartley Power to play the Sam Levene role in Clara Bow's "Mighty as Error," which Ernest C. Riddle is producing here.

Artists who are regularly entertaining friends in France were guests of the Press Club at a special dinner, said Cecil Jones.

London Express, former head leader at London Casino, wrinkling the title for the Porter-Arnold show, "Present Arms," at Prince of Wales theatre.

Calcuttough to star Will Fyfe in new musical film, "Westward Ho!" Lynda Banks, Yvonne Arnold, Phyllis Colvert, Hilda McDermott with support. Marvel Vernet will direct.

British National signed Norman Wayne and Basil Radford to re-star in recently purchased "Cock's Nest." York is acting as a radio artist. John Barker is producer and director.

Warner's Tellingham completed making of next feature, "Fugate," London gambler story, with Laurence Olivier, Clifford Evans, Edmund Knight, Elizabeth Scott and Peter Cotes as principals.

Greta Garbo, in private life Mrs. Christopher Mow, anxiously waiting to hear what's happened to her parents and family in Sweden. Has not been able to contact them since the beginning of the war.

Famous Film Productions at Devonham has and Bernard Shaw's "Major Barbara," with Wendy Hiller, Robert Marlow, Marie Lohr, Penelope Dudley Ward, Eileen Williams and Cyril Maude as principals.

Max Faber has three-pictures deal with United Artists (London). First he is producing for them is "The Death of a Nation," based on Hitler's "Mein Kampf." Shooting starts end of May in New South Wales.

Hermann Hitler, former set producer in Berlin, creator of Hitler's Revue, and operator of Adolph's Palace, Berlin, is here as refugee. May produce summer revue for Hyman Bros. and Bernstein circuits.

Maurice Collinson offered a couple of two fragments while performing at Brighton Hippodrome, which will accumulate him laying off for several months. Some, his brother, who is in the art with him, will try to break him out, to keep the cinema going.

Victor Van Dusen's continuous revue, experiment of the Garrick Theatre has cost him over \$10,000 in four weeks of operating. But this is not all. His leased theatre for seven years from A. E. Abraham, and for every week the house is closed a further \$100 goes down the drain.

The Society of West End Managers requested not to let any of their theatres to anyone not of established repute in the "reputed theatre," unless a fortnight's notice for artists, staff and musicians are deposited. Request comes from the National Association of Theatrical and Music Employers.

Australia

By Eric Gerrick

"Gulliver's Travels" (Tall) setting pretty N. A. party.

Clarence Barker leaving "Daughters of Australia" for Army.

William Freshman, Communist agent, returning to London.

Sir Ben Fuller seeking Aussie agents to London review, "1938."

Valenti Manohin will give several concerts here during his visit with local trials.

Van Welle is in charge of British Empire Films during the absence of Gordon Ellis in U. S.

Worth's Circus extended its Sydney run following (11). Unit now managed by Doris Wirth.

Probably that Ruth Daines may do another Aussie tour for Williamson-Tell before year's end.

Her McElroy thrown a feed for his associates to celebrate his 25 years as local head of Universal.

"Blushing" (1938) (Shirley Temple) returned in Sydney this month to 31 in with school's vacation period.

Edna Briles British comic, after Tivoli tour, joins revue with at Melbourne, Sydney, for Fred Blackman.

Ed with Shakespeare doing exceptionally well at Melbourne, Sydney, under direction of Fred Blackman.

Bessie Lee, wife of Cyril Farris, former manager of the State Sydney, is doing a name act over the Greater Union chain.

"San Francisco" (M-G-M) increased its additional playdates to 107.

notes and still, "Hiding on Beauty" is another Metro expense.

Century lightening up again in jingles and war pic. Jimmy Cagney and Warner appear to be in the red of late with ventures.

"Hunchback" (RKO), one of last 10 hits out of Hollywood for RKO, is for this year. "Babe" (1938), also top clerk for some time.

Anthony Smith, Hollywood director, part of Lord Mayor Stanley Cook in Sydney at several functions. Some interesting local production field.

So Ben Fuller is now interested in a radio house at Herbyham, Victoria. The policy currently operating, but might may switch to home-made radio.

Federal government may begin spending propaganda on war in high production costs. War minister with idea of doing two-reel film from time to time.

Hawthorn Group, looked to a tour here, decided to accept a date in Singapore before leaving Australia for Ben Fuller. Knight then revealed local visit.

New that production is stepping out again in New South Wales several minor Hollywood players are said to be putting out letters in engagements in locally-made.

Many top U. S. acts are being contacted by Aussie type covering a tour of the Hays trip this season in conjunction with the policy. Stage presentations are coming back into favor again in this zone.

Stark in making Greater Union Group changing hands at support price as support's contemplation merger with Hays' some time this July. Hays' profits very high no part via monthly trading under Charles Mower.

George Cross, casting director for Paramount, has taken command of Paramount's talent school under chief direction of Roy D. Hall. School was formerly handled by Alie Kellaway, brother of Cyril Kellaway.

Minneapolis

By Lee Grew

Paramount Pop club held annual spring party.

Al Ayed, Columbia salesman, a daddy—it's an eight-pound boy, his first.

Johnny Fritcher, Paramount head hunter, started to company's "1938" club.

REDF's Seventh Street theatre to be torn down for store and garage building.

Allen Cliftworth, M-G-M salesman for 12 years, resigned to enter another business.

Jay MacFarland, National Screen branch manager, in Chicago for sales' conference.

Seny, lower long subsequence-run house, closed for six weeks for remodeling and improvements.

Twice City Variety club to raise \$2,000 for local fund which provides with for underprivileged families.

W. A. Steffen, Northwest Allied president, released from hospital following another heart attack and is recuperating at home.

Russell Egan, from Omaha, appointed REEF city salesman, covering Sioux Falls, who resigned to handle state-right pictures.

Martin P. Kelly resigned as St. Paul Water Carnival managing director to manage St. Paul Auditorium winter sports show next fall.

Nazis Hit B. O.

(Continued from page 1.)

were glad to radio for war developments and business deal likewise, but even getting telephone calls. There were no cinema asked Chicago Saturday (11) and at least three more will arrive this week.

Similar to the Broadway legit summary in this issue the national film grows, including N. Y. starting in page 8, likewise reflect war to giving effects.

Half a dozen attractions have not salaries recently, but the number to that date is somewhat less than last May. Content, but contains only around 10 attractions visited the summer holiday, several others which were signed to do so having dropped out much and are visited to fold. There will be at least 100 musical revivals in the party season.

"Keep Off the Grass," "Bismarck," "Louisiana Purchase," "Imperial," and "Walk With Me" ("Three After Three"), Broadway.

Choosing this week, "My Dear Children," "Believe," "Too Many Girls," Broadway, and "The Fifth Column," Broadway. Both the latter are closed to cinema on Broadway before moving in the fall. Added Chicago, last Saturday, "Lions," 440 Street; "Out From Under," "Lions," and "The Stranger Fig," Lyons.

Due next week, "Keep Off the Grass," Broadway; "Bismarck," St. James, and "The Struggle of Eight," "To What End Half's Beliefs."

Hollywood

George Gagnon won director. From Dumas to Houdini in production.

Carroll Frankel fighting pneumonia.

David Howard in hospital after a stroke.

George R. Nelson opened publicity office.

Prissy Hunt was a director from Bond film.

Bette Davis back from her Hollywood vacation.

Ben Holmes recovering from pneumonia operation.

David Wise home from hospital after operation.

Wilfrid Lawson jumped on a tropical isle.

Lee Tracy sailing for New York on a freighter.

Adrian Morris changed his name to Michael Morris.

Roy Wells shot a TV to win RKO studio golf tournament.

Bob Joseph joined Henry C. Rogers' publicity outfit.

The Most Singers celebrated their 25th wedding anniversary.

Luise Rainer returned her divorce suit against Clifford Odets.

Orville Gibson appeared in Hawaii for a month's photo.

Edward Small made honorary lieutenant governor of Arizona.

Frank V. Brunsback in from India for Paramount talent convention.

Sam Clark recuperating at Palm Springs after a long hospital stay.

Harvey and George Skouras here for conference with brother Charles.

Ed Kuykendall left for Washington to watch the progress of the Neely bill.

William Russell joined William McKelpha's talent department at Paramount.

Fred Mills in for huddles with James Roosevelt for distribution picture talks.

Len Stewart shifted from New York to Hollywood branch of Republic-Silver screen.

Errol Flynn hops off this week for two-week air tour of Mexico and South America.

Joe Penzabach gets the withdrawal check at the Mayaguez Club closer next Sunday (15).

Harlan Thompson to Missouri on business trip before reporting at Warner on his new employer.

Frank Capra awarded French Film Academy's Oscar for the best comedy of 1939, "You Can't Take It With You."

John W. Cassidine, Jr., putting in his annual two-week service as a U. S. naval reserve officer at San Francisco's Presidio.

Edward H. Schwab is from New York for six weeks to sign the Samuel Bronston Productions as chairman of executive committee.

Chicago

Frank Sherman remodeling the Mount Club.

Heinz Terry goes in at work at the Midland June 12.

Harold Lee of Winmark's is New York for short vacation.

James Shivers in for vacation on the film lake in situation.

Paul Hall back from New York latest head for National A. K. A.

Bob Crocker's first out of loop after two weeks' swing following home spell.

Times Harrison was booked at Starvue tentatively longest on his visit from show life.

Everett Crady stopped off for session with brother Bob, who has just at the Blackhawk.

Senator Murphy going to the Coast to set sunshine down distribution for his autographed handkerchiefs.

Bill Johnson will operate the Sun-Air this year, despite personal legal entanglements with Uncle Sam.

Johnnie "Red" Davis reviewed the process when he loaned a lunch party for the song-pluggers in Detroit's last week and asked the best to bring their own lunch.

Memphis

By Barry Martin

Civic Theatre giving local therapy "Without" instead of "Ghosts."

Town went on daylight saving two weeks behind everybody else.

Little Theatre again over next week with "Arms and the Man."

Dorrie Bowler brought husband Maudslayi Johnson home to meet the folks.

Joseph E. Baker went without at Memphis Synagogue Orchestra's fund concert.

Quinn Nelson plays Cotton Carnival Ball, then sticks around for local date at Peabody hotel.

Straw Holmes hand back at Carnegie lobby's Marine Road. Third time in is many years.

Harold Lord expected here for touring convention June 16. Rumored to will be nominated for high office.

Elmer Taylor home from Broadway to do couple of concerts and war spectacle Alexander Gray in Overton Park summer musical.

Ray Hays and George Butterfield today and tonight, both of Joe Venable's, in for a visit with the town's folks. Their first ever marriage.

N. Y. World's Fair Debut

(Continued from page 1)

opening in the jittersburg until Saturday evening because of the delay in getting ticket booth equipment from the Fair. By the time it did open, rain had started to fall and attendance was held way down. Johnny Green's and Van Alexander's bands played sporadically but to no audience or dancers due to unobtainable floor touches. String playing attendance stopped promptly for juvenile interest. Todd's condensed version of the "Streets of Paris" however, opened on scheduled time at the Music Hall, and did fairly good business through four shows.

Another show that didn't open until late Saturday was Winstel Wonderland, which was called Sun Valley last year. Here, also, business was affected by the rain, the ice show being presented outdoors. Some of the more important spots that didn't open at all on Saturday were the Liang Temple, Magic Carpet, Winstel in Ice and Mammoth & Dinosaur's animated savanna and minsters exhibit. None of these, however, should be delayed more than a week, as all look near completion.

Big Midway Attendance

The most encouraging indication so far as show business is concerned, was the interest of the first-day crowd in the amusement area, renamed The Great White Way. As the afternoon wore on, the exhibit area population grew steadily sparse, while the crowd in the show district steadily mounted. Even casual observers, who devoted much of their time to squawking last season, conceded business was "very good." Crowd went for the big country fair idea and all hands were tickled with "Rowdy Folks" badges.

The midway further figures to thrive on a mathematical basis in that all concede it's at least 20% better and should do that much better business. The Fair Corp. estimated that of the \$1,000,000 odd attendance last year, only 40% visited the amusement area. Thus, despite increased midway competition, all hope to do well this season.

Billy Rose says he expects to prosper despite any theories that the spending coin might be spent thinner, due to so much more competition. His Aqueducts admittedly was the last big hit, but on the midway last year, outside of Todd's "Hot Nights" in the Music Hall. This year there is much more competition, but it's figured that the amusement zone will absorb plenty of more spending money.

Fake Sales in Foreign Zone

The exhibit kiosks, of course, in the foreign pavilion sector. The restaurants are as much as their personnel, who, in turn, seem to reflect the actual nationalistic situation abroad. The servants are older; many are rather dignified headwaiters and waiters, with Legion of Honor ribbons and medals in their laps, openly indicating that the younger manpower is in European military service.

Another hard note is where U. S. interests now operate what should technically be strictly nationalistic restaurants and pavilions. The Statler Hotels Corp., for instance, openly tells itself over the Romanian House. A U. S. group operates the Danish pavilion. Even the Latin American countries still present—quite a few dropped out—seem to have a strictly commercial backup. In the midway, the Union News Co. now handles the Heineken beer and Dutch motif at the Euyder Zee eatery. Union News also has the Buttery in the British Pavilion through some.

General Motors reported that 24,000 saw its Futurama, the most sought after free show among exhibitors, during the initial day. There was large attendance within the telephone building, with its varied diversions and charges, but the urge to let loose found the stinger diversions the magnet, with the Fair's own "American Jubilee" claimed to cost \$100,000, one of the strong draws. Transportation time was not much in the play and a major show, "Railroads on Parade," is off for two weeks.

Transportation within the Fair has been made more convenient and the night is off. Buses and trolley-train fares are the same, while rates in wheelchairs, some motorized, are down and those going from the exhibit section to the amusement zone can make the only quickly for a moderate fee.

"Jubilee" is the most important addition to the White Way. After a dress rehearsal the night before and two shows in the afternoon, the per-

formance for reviewers and other guests went on at 8:40 p. m. Saturday. Shortly thereafter the rain came and continued long after the show was over. Performers worked valiantly in the wetness and the showgoers showed enthusiasm of the best performance.

Mary Pickford-Rose Marx. There were rather elaborate stunts attempted after "Jubilee." Buntin went on off Harvey D. Gittens, the Fair's head, danced in the rain with Mary Pickford, while Helen Marx participated, too, but the stars were forced to retreat to the press office. Later they passed through a police cordon and returned back to a special function.

The new Aqueduct, which like "Jubilee" was in a four performance schedule daily, gave two afternoon shows and started the 8:30 trick, which was called off after the first part and the final performance was canceled. Reviewers were asked to cover the show Wednesday (13), not only because of the dismal weather but some mechanical problems were yet to be straightened out. Billy Rose, who again presents the Aqueduct, claimed this year's production cost \$250,000, as against \$275,000 last season.

Cafes, Bars Profit

With the weather as bad, the cafes in the amusement zone became a source and most of them were jammed. Included were Rose's Barbary Coast, which last year was the Midway Inn. Spot has been revamped inside and the show presented there is that which played Diamond Horseshoe (Paramount hotel, N. Y.), for more than a year, with few changes. Abe Lyman and his band provide the music.

Another new cafe spot nearby is the Zouave, which has been given little advance publicity. It has the same managerial setup as the Beachcomber on Broadway, with Monte Prosser-Waller Schuster and associates in charge. South Sea side atmosphere didn't match the weather Saturday. There is a state adjustment for patrons why go in for bonding instead of the cafe proper and its long bar. Breweries, another of the large sales and bars, is newly decked up and is also nearby. It is mostly open air and has a garden adjacent, prices being geared moderately. Place is handled by Duffner & Rogers, having been started some time after last season's opening. There's male conversation, "Straps As It Seem" building, has been disposed of by Ripley for his "Believe It Or Not," a conspicuous absence last season.

Quite a bit of coin was used in extra newspaper ads prior to the Fair's opening. Rose in particular outdid in the daily. Campaigns for the Aqueduct cost \$1,000. "Jubilee" followed suit in a lower degree, but International Business Machines topped all with page ads in the dailies, publicizing the opening of the exhibit Monday (13), for which Lily Pons and Lawrence Tibbett were engaged to sing.

Ways Siding If the Brashed

Striking differences between the promise of the World's Fair last year and the start of its second season is the absence of street bellhops, particularly along Broadway. Cheap hoppers, Fair flags and other colored decorations heralding "The World of Tomorrow" are missing. That is partly explainable because each bumper shaft carried the 1939 date and is valuable, if still on hand. New slogans for the Fair is "For Peace and Freedom," with the aim of the management to foster a carnival or money fair spirit.

More pertinent, so far as Broadway is concerned, is that last season the first five weeks of the Fair showed show business very heavily. Shows folded rapidly and, while the better attractions played through summer, it was not until the final six weeks of the Fair season that show business on Broadway was seriously boosted.

Wary of what happened or didn't last season, show business is still expectant of benefiting from Fair visitors, but Broadway has its fingers crossed. Business Saturday and Sunday slumped away, but the new developments are agreed to have underwritten more than the crowd debut.

Few hotels display Fair busting but it was stated that over the weekend the increase in occupancy was from 1-1/2 to 2 1/2. Last season the hotels showed permanent long before the expo opening and lifted the rates. That is all out, in fact, Fair is reaching its maximum on the grounds, but without attendance.

Big Payoffs

Vendors, who advance fancy coin to Fair visitors, make pike out of the countless consumers who, traditionally, used to help fanners with their by advance remain for the bar-checking privilege. Mike Todd got a \$10,000 advance from Ruppert, for example, for selling that best exclusively in the Old New Orleans village.

Billy Rose is reported to have gotten free like \$20,000 from Chesterfield cigarette, \$20,000 from Spum (a new product) and around \$100,000 from Polar beer for the exclusivity in the Aqueduct (N. Y. and Puerto) and at his new Barbary Coast saloon at the N. Y. Fairgrounds.

MORE COIN FOR N. Y., FRISCO FAIRS

Washington, May 14.

Replenishment of New York and San Francisco expositions coffers with money awaiting continued Federal participation presumably was assured Friday (13) for House passage of resolutions authorizing appropriation of more money for Government exhibits. Fight among New Yorkers, which nearly killed the resolutions in committee, prevented action before the session opening, but the cash should be forthcoming in a deficiency bill soon. Although there is no assurance the full amount will be voted.

Another \$275,000 for New York and \$200,000 plus an unspecified \$122,000 balance for the Golden Gate, is permitted under the resolutions previously passed by the senate, but held up the past month in the lower branch of Congress. There's also an unspecified \$100 balance of \$100,325 for the N. Y. expo.

Attempt to obtain the funds before the gates were opened for the second year came dangerously near failing because of several political angles. Principal obstacle was Representative Hamilton Fish, Jr., of New York, leading Republican on the Foreign Affairs Committee and on the Rules Committee.

Apparently angry because he was left off the Federal commission for the New York expo, Fish has been accused of trying to sabotage the legislation providing for Federal participation. Whatever his motives, he played a leading part in fighting the appropriations both years.

Before the measure was approved, there was considerable howling, with supporters of the Fair bemoaning the amount had been pruned from the \$450,000 suggested by the State Department, to only \$275,000. Replenishment was reflected over the fact that the original bill of \$1,000,000 was \$2,000,000 short of what the promoters expected to get in the way of Federal help.

Ripley's Partner Sues For Breach of Contract

Walter J. Greenbaum, stockholder of International Odette, Inc., filed suit Friday (10) in N. Y. supreme court against Robert Ripley, International Odette, Inc., Bellevue-31, Or-Hot, Inc., and Long Island Odette, Inc., seeking an injunction, accounting of profits, and damages, claiming breach of contract. The plaintiff owns 500 shares of preferred stock which cost him \$22,500. When the plaintiff purchased his stock, he asserted, he was promised that for the duration of the Broadway lease Ripley would open an engagement in the U. S. which might provide opposition to the Broadway site.

Now it is asserted that in late March, 1939, Douglas Ripley, brother of Robert, entered into an agreement with the N. Y. World's Fair to exhibit the same type of show, starting on May 11, under the name of Long Island Odette. This is asserted to be a breach of the original agreement, and the plaintiff claims the World's Fair show will seriously affect the receipts of the Broadway exhibit.

WHAT THEY THINK

Not On One Network.
New York.

Editor, VARIETY:

Permit me to call your attention to an error in crediting stations in your May 1 review of the programs, "Meet Miss Julia" and "The Career of Alice Blair," which are broadcast here.

"Meet Miss Julia" is not heard over 14 Mutual stations, but over one Mutual; four Mutual-NBC; 14 NBC; and 12 CBS; totaling 31. "The Career of Alice Blair" is not heard over 14 Mutual stations, but over one Mutual; four NBC; and five CBS; totaling 19.

WORLD BROADCASTING SYSTEM.

By Herbert L. Jacobson.

New Columbia Radio
New York.

Editor, VARIETY:

I have read with interest your review of the Kentucky Derby broadcast in the current issue of Variety, and should like to relate the facts as they occurred.

The month from which we did the broadcast was badly ventilated, but it was necessary to have the windows closed to keep out the public address system.

With five people in the booth, the first 15 minutes of the broadcast so raised the temperature that by the time I turned from the window through which I could see to the window next to be used, it was totally opaque. If there had been only a trace of ventilation the temperature never would have risen that high.

Of the \$1,000 persons present at the Derby, only one person could've seen, and that was Field!

Bryan Field,
New York Times.

A Plug for Eddie Davis

Boston.

Editor, VARIETY:

In his Harry Richmond review of the Vernacular, Albee mentions him, Sophie Tucker, Joe E. Lewis, Hildegarde, the DeMunnies and Veloz & Yandee as outstanding cafe attractions.

What's the matter with Eddie Davis? He tops them all.

Ruth Rogers.

(Thunder! Although Eddie Davis, as partner in Lewis & Eddie's, is not an inherent attraction, being his own boss in his own place, for over 18 years, hence not considered with the others who are traveling attractions.—Ed.)

Ethel Waters' Fustione

Editor, VARIETY:

After reading your comments in Variety of the Apollo Theatre show, I felt I owed you an explanation, also, to enlighten you about certain mentions in your column where I am concerned.

Assuming you are a northerner like myself, you would not know that each Southern state has a different southern accent, possibly

due to the early settlers and how from other countries. To give you a rough idea I will mention a few, Louisiana, Georgia, Virginia and Charleston, S. C.

It was due to the failure of the unedited play, who happens to be Mr. Robert Thomson, who successfully played the same role in "Mammy's Daughter" 13 weeks, including New York, is not mentioning the locale, Charleston, S. C., that the audience did not recognize the Charleston dialect, as it is shortly related to the West Indian language that they find quite amusing and unpopular here in Harlem.

In regards to the song I am sorry, but I still cannot dance; also glad you enjoyed the juggler.

Professionally,
Ethel Waters.

'As You Should Know'

New York

Editor, VARIETY:

In your May 8 issue I find my name mentioned as having been at a place called Twists Show's, at a private party for Paul Douglas, and that I created a disturbance by having a lot of glasses broken. Please be advised that I was never at the place mentioned; and that I was not at the bachelor dinner given to Mr. Douglas.

However, as you should know, the breaking of glasses at a bachelor dinner party is hardly the bride and groom is very appropriate and is a custom of long standing.

Jack Krienderer.

(It was Mac Krienderer, brother of the "Baron," Jack, who did that Continental routine act of breaking the champagne glasses after the wedding process.)

German Music

(Continued from page 1)

the vague also extends to the titles and lyrics, where it is revealing in modern surroundings a spirit of generalization that was not evident a year ago. Just what started it all is something no one has been able to definitely put their finger on, although the "Beer Barren Pollen" is credited in many quarters with having started off the craze.

Bradford's use of Winesap's legend music, is authority for the statement that its career advertising of German platters has produced a bigger volume of immediate and direct returns than any other publicity they ever sponsored.

When Finland was in the spotlight there was a noticeable spurt in the demand for Finnish records, and there is a steady though not lively demand for Polish discs, but the strong and continued demand for the German melodies has really gotten the trade excited. Suggestion that there's a propaganda angle is scoffed at generally.

N.Y. Fair Sidelights

These "Hello Folks" tags the Fair point out to all comers were a happy idea. They're giving the expo thousands of walking ads. Sidways and homes in the evenings are spotted with housewives wearing them, giving other others something to think about. Fair passes them out when the customers are leaving as well as when they enter to be sure everybody has one.

Jittersburg's Free Ogle

Kids at Mike Todd's Ransing Campus quickly found that the best entertainment was not what they had paid their two bits for. It was the dressing rooms of the Aqueduct, clearly visible across a Bay of Liberty Lake from the back terrace of the "Campus." Swarming gals switching their suits gave the Jittersburg plenty to see besides dancing.

Those little foot-pedaled boats in the lake were also doing big business on strength of the Aqueduct dressing room show, 10 or 12 at a time being parked a few feet outside the windows.

Mike Todd was seriously freaked in announcements outside of his closed "Gay New Orleans." Explained he didn't need to chief

angely by opening before it was ready and it really won't be finished until Friday (17), an advised passersby to try a number of competing government spots, mentioning them by name.

Just an Informal Fair

New spirit of informality and fun at the Fair seems even to have gripped the employees. Most of them have shed the authority which clothed them last year and were even to be found in relays right the pretty eyes and things of Jack Sheridan's "Living Magazine Cover" gals.

Rain which showered the Saturday night opening was a mixed curse. It came, indeed, rather as a blessing to some—slender with today's exhibits, crowds rushing into anything to get in out of the wet.

Billy Rose's "Barbary Coast" provides everything but space between the lobby for waiters to serve. With as much war on the pattern inside those bounding trays of dishes with too much of a check.

Ruth Rogers must be juggling herself the same thing she does in the daisies. They're all perched tonight together.

NO MUSTARD /

But Plenty of B.O. Paprika

- Abbott** —Castello—you took this ad in Variety without consulting me!
- Castello** —I'm a bad boy. Don't tell the William Morris Agency on me.
- Abbott** —Well, I should...
- Castello** —Oh, if you do, they'll tell Michael Todd and he'll tell everybody that we're starring at the World's Fair in his "Streets of Paris".
- Abbott** —Regardless of that, we're still on the air every Friday night with the Kate Smith hour.
- Castello** —I know it—and June 28 we'll end a run of 97 weeks. Thanks to Miss Smith, Ted Collins and General Foods.
- Abbott** —Then we can take a vacation from the air—
- Castello** —We cannot—you dummy. July 3 we replace the Fred Allen show for the summer for Bristol-Myers... thanks to Young & Rubicam.
- Abbott** —That's in addition to making a picture—boy, that'll buy you plenty of hot dogs, Castello—
- Castello** —Yeah—BUT NO MUSTARD!

JUST COMPLETED 4th ENGAGEMENT

BUD
ABBOTT
and
LOU
COSTELLO

Exclusive Management



WILLIAM MORRIS AGENCY, Inc.



May 9, 1940.

Gentlemen,
Messrs. Abbott & Castello,
RKO Theatre,
New York, N.Y.

Dear Bud and Lou:

This is your fourth trip to our theatre in less than two years, and I am writing this to tell you that insofar as we are concerned, it's "four runs, four hits and no errors" — in other words, a "home run" every time.

Each time you have come back you have improved, and our box office is feeling the results of your progress and popularity. I hope that the time will arrive soon again when we can arrange a further booking.

Kind regards—

Very truly yours,

Irving Lesser
IRVING LESSER

LL:1

P.S. Don't forget to fix "the hole in the wall" before you leave.

SCREEN

RADIO

BANDS

STAGE

VARIETY

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VOL. 138 NO. 11

NEW YORK, WEDNESDAY, MAY 22, 1940

PRICE 25 CENTS

FILM STORIES WAIT ON WAR

Free Beer Offer Jams Phone System And Has to Be Revised by KCMO

Kansas City, May 21. Free beer via KCMO's "Telephone Quiz" quarter-hour for Stag beer brought a protest from the telephone company after last week's inaugural program. Listeners got the gratification by phoning in to answer questions put by announcer Jimmy Coy, six bottles if first answer is correct and parlayed to 24 bottles if two successive questions are answered right.

Deluge of calls opening night led telephone company to install check-over second night which registered over 12,000 overflow busy signal calls. Through the week response reached such proportions as to tie up the Victor exchange in which the radio station's phone number is listed. This brought demand from the telephone company for alleviation, and KCMO is complying with change in routine this week.

Revised show is titled "Quizmaster" and has Coy phoning the contestants rather than having them call in. Similar prizes are offered for quizzes with answers submitted for him on program, and station selects contestants to be called from this list.

As per FCC regulations, only the quizmaster is heard on the air, calling for answers live by telephone or by mail. (Continued on page 21)

Renewed Patriotic Fever Steaming Up 'Am. Way' Film Plans

Harry Goetz and Max Gordon will deliver film "The American Way" Goetz said Friday (17) upon his return from Washington where he had been drumming up interest among patriotic organizations in the story. Producers feel that growing nationalist feeling in this country makes "Way" a natural. Goetz said, however, that it will not be announced on the 1940-41 RKO program, on which G-G will list only two untitled productions, of which one may be "Way."

RKO-Goetz-Gordon paid \$250,000. top price of modern times, for screen. (Continued on page 40)

KEY NITE CLUBS ALSO HAVE NABE COMPETISH

Paralleling the squawks of downtown picture theatres that the night are serious competitors, the midtown Manhattan nightclubs are suddenly realizing that neighborhood nabs are more serious opposition than heretofore imagined.

For one thing, these nabe nightspots render a closer regional patronage; there's a more neighborly scene, the tariffs are less, naturally, and some pretty good talent is available at very low talent budgets. Art. are sold as low as \$25.

Modern Seniors

Green Bay, May 21. Senior girls class of White Lake High School were visiting station WTAQ. It was suggested they sing their class song over the air.

"What's the tune?" m.r. Ernie Smith asked the girls.

"We Had to Go and Love It at the Actor," was the bland reply.

NAME WRITERS' PIC TO AID AUTHORS

Robert E. Sherwood, George S. Kaufman and Moss Hart are heading up the collaboration for an original screen story. They intend to do only the story outline and figure on getting about \$25,000 for it. Plan is to donate the proceeds to the Authors League of America, to pay off the organization's deficit.

According to Kaufman, they're still looking for a story idea, which he indicates may take some time. However, it's understood that if none of the three comes up with some inspiration soon they'll all lock themselves in a hotel room and stay there until they finish the work. Suggestion of the collaboration was Kaufman's. As chairman of the League's finance committee, he has for the last several months faced the task of solving the organization's debt situation. (Continued on page 42)

Hollywood Production, Like Europe, Has Its Troubles With Flyers

Hollywood, May 21. Europe is not the only place where there are misunderstandings between the flyers and the ground forces. Airplane pilots in the Hollywood sector are kicking because the orange caution balloons every film studio are anchored too low.

These balloons, held by cables, are flown over every lot whenever a picture is being shot outdoors. The idea is to prevent the rear of the airplanes from swooping into the sound tracks. These interfering planes caused major & romantic scenes of the home-and-daddy era and cost the studios thousands of dollars weekly for retakes.

By an arrangement between the (Continued on page 40)

SABOTAGE YARNS TEMPT STUDIOS

Flood of Scripts Treating with 'Fifth Column' and Parachute Troops Find Producers Wary — Want to See How Events Abroad Come Out Ultimately

CHANGES TOO RAPID

A temptation which all studios are finding difficult to resist is a rush into pictures based on "Fifth Column" activities, parachute troops and steel tank and air battle, with which the public mind is currently fixated. Such subjects in ordinary times are logical fodder for quickly profitable exploitation pictures. But such is the rapidity with which events in Europe are moving, studios fear that even their speediest efforts will find them, in a few (Continued on page 21)

Wanger and Chaplin's Film Changes to Keep Ahead of History

Hollywood, May 21. Evolution of Europe's "total war" felt with full force yesterday (Monday) on two United Artists producers. While Walter Wanger added \$150,000 to the budget of "Foreign Correspondent," to include scenes of the invasion of Holland and Belgium, Charlie Chaplin called a momentary halt on his forthcoming feature while he re-converged the situation. After pulling in the reins completely yesterday, Chaplin resumed cutting this (Tuesday) afternoon. He tentatively titled "The Dictator" or "Production No. 6," it is in final stages of writing and editing. Chaplin's halt is aptly the situation was due to fear that his facetious treatment of (Continued on page 31)

Jazz to Politics to Dude Ranching—Vic Meyers

Washington's Gentlemen's agreement, now serving his second term, and among those talked of for governorship at the coming election, Vic Meyers, band leader and ex-dancer and night club manager, has launched into a new bid. By wrangling duels at a new club, ranch in Central Washington, has far from Grand Conium dam.

Grand opening of the club will be June 15 with jazz, burlesque and high jinks.

Hugh Studebaker a Fugitive From Treadmill of Too Many Programs

Dead Pigeons?

Rusta Kays, dove dancer, was submitted to NBC by Ear Friedman for a television spot. Everything was okay until the technicians discovered one important detail.

That is that the best from the secondary high lighting of television shows would be sufficient to reveal a duck, much less a pigeon.

NAZIS' RADIO SPIELER AN EX-MG P.A.

The "E. D. Warf" who broadcasts in a flippant manner on shortwave in this hemisphere in behalf of Nazi propaganda, and is becoming known as the "Lord How-Haw for the United States," is Ed Delaney, for about six years in charge of exploitation for the Lowy theatre chain, headquartered in New York. Succeeding Terry Turner some years back, he was in turn succeeded by Oscar Dosh, who like Delaney came from Chicago.

Prior to coming east, Delaney was for years an exploitation man with Metro's Chicago exchange. About three years ago he was out in advance of Major Bowes' work, being on that job about six months. Since being with Lowy's he made a trip to Australia and also to Europe, visiting England, Switzerland, Germany (Continued on page 32)

Hope Queen Elizabeth Joins Red Cross Rally; Cantor M. C. of Show

Red Cross has obtained the two to three week period, New York Times, on NBC, CBS and Mutual this Sunday afternoon, 6:30 for a broadcast which will be abetted with scenes from radio, legit, show and the concert field. Eddie Cantor will be the main draw from the New York end. Although it being made to have Queen Elizabeth take part in the program with an appeal broadcast from London, President Roosevelt is also expected to participate.

Already set for the show are Bob Hope, Judy Garland, Lawrence Oliver, Vivien Leigh and Frank Buck. Others signed on are Kate Smith, Jack Benny, Edgar Bergen, Fiddler, McGee & Mullin and Paul Robeson.

By MAX BOWEN

Hugh Studebaker, lead player on such Chicago artists as "Bachelor's Children" and "Midstream" and variety show m.c., walked out suddenly last week from all his radio commitments and went to New Mexico for a rest on his doctor's orders. He'll be there six months at least.

Behind this walkout of Studebaker's is a human interest story that might herald a new era in radio broadcasting. It's the story of a performer who came up from nowhere and went to prosperity and great demand in quick time. It's the story of one who wanted to ease off from the pace and strain of running from one broadcast to another before his nervous system and constitution crashed, but who found that this was no easy task. He got himself too deeply involved in the mesh of assignments and obligations, and it was too tough to resist that web of big rain, ranging from \$500 to \$1,000 a week.

Working Everywhere
What seemed to Studebaker's most serious Studebaker's efforts to exercise his better judgment—easing off before the cracking came—was his memory. Studebaker had more (Continued on page 32)

President Roosevelt's Emphasis on Defense Crisis Cuts Pix Coin

Hollywood, May 21. Backloggers, plentiful until Hitler marched into France, have disappeared from the Hollywood scene. Millions of dollars in banks, pending for investment in major and indie films for the last three years, have been suddenly shifted into armaments projects as a result of President Roosevelt's defense program call.

Wall Street, the big money guy during the recent Hollywood spending spree, has put the freeze on drama and is dumping its coin into airplanes, most of which are produced without hearing directors of the film studios.

LeROY PRINZ INTO AIRPLANE MFG. BIZ

Hollywood, May 21. LeRoy Prinz, wartime aviator and Paramount's dance director, is reported here to have gone into the airplane manufacturing business. He has promoted the Phillips Aviation Co., which has secured patents and other equipment for the manufacture of airplane engines, with the assistance of J. A. Phillips, Jr., and Ira Westerman, New Yorkers.

Company has bought land near Van Nuys, with actual manufacture of engines and planes started.

Margery Daye, Ex-Daniels, Blitzes Yarn About Hitler 'Command' Show; Attempting to Salvage U.S. Career

By JOE SCHENFELD

There was a Margery Daye dancing at the New York Paramount last night (Tuesday). She answers better to the name of Marion Daniels but jumps when she hears the name of Adolf Hitler. The actress, who has been in the spring of 1939 and spoke a couple of German words she didn't understand, but that was apparently enough to wreck her stage career in the United States under the name of Daniels.

Some analysis goes on in either Cannes, France, or Munich, Germany, announced to the world that Marion Daniels had played a "Command Performance" before the graduated house painter. The newspaper, especially American, jumped on the story, and the tale spread that she had also received a bouquet of flowers and a formal party with the actress.

The pretty blonde from Beverly Hills, Cal., is a perfect Arya-type, but for such a yarn, but the maintenance that there wasn't a particle of truth in it. It was no command performance, she insists; there were flowers given her backstage at the Gaiety Club in Munich, but there was no party with them, and all the other members of the cast of "The Merry Widow" appeared also to have received bouquets; there certainly was no formal party, and her meeting with Hitler was done and over with even more quickly (and with even less understanding) than the actress's take-off of Denmark.

Disappears Hitler Interest

She quickly dispenses the supposed Hitler interest in her Munich beauty by the fact that she had previously played the Scala, Berlin, for four weeks, and the variety portion of "The Merry Widow" in Munich for two weeks, without meeting a single official Nazi. Then she went to the Los Angeles, where, for a two-week booking, and Henry LaRue, the Paris agent, asked her to fly back to Munich for a one-night appearance.

(Continued on page 8)

VICARIOUS THRILL

Another Sculptor-Actor Swaggers in Phony Handwork

Sculptor-actor who was disappointed when the N. Y. Museum of Modern Art failed to include any of his work in its collection has righted matters in his own exhibition. He persuaded an artist friend to reproduce one of the regular museum cards. He then took a small bust which he considers representative of his work and, waiting for a moment when he was unobserved, placed it among other sculpture items. Sign contributed by his friend states that the bust was "loaned to the Museum of Modern Art by" himself.

It's now been there undisturbed for some time, apparently a regular item in the collection. Catch it that it has involved unexpected expense for the sculptor, who likes to go back at his masterpiece, but always has to pay admission.

From Clefs to Chefs

Two of the four Yacht Club Boys, Charlie Adler and George Kaffir, are now the new landlords of the 5th St. Tavern, now Billy Ladd's, and Bob Goldstein's.

Letter, radio time schedule for WMCA, operated the battery for several months, and returns to broadcasting exclusively. Adler and Kaffir assume all debts, etc. investment running upwards of \$25,000.

'Hopalong' Breaks Leg

Hollywood, May 21.

William Boyd, the Hopalong Cassidy of Harry Sherman's series of Columbia westerns, broke two bones in his right leg when his horse crashed into a tree on location near Kernville, Cal.

It was the first accident for Boyd in 22 Hopalong productions. "Dressed Caravan" will be held up for several weeks while the star is recuperating in Hollywood Hospital.

A Fewdown Skill

New Orleans, May 21.

Business is so hot in some French quarter cafes, now spot has a blonde entertainer in large dressmakers in other bars. The idea is to lead picking customers back to the home task.

WARD OFF AIR, PENNER FREE

Sherman R. Ellis agency last week advised the agency for Joe Penner, the General Anson, Corp., that Ward Baking will not pick up the candy's option for the fall.

Ward proposes to produce its advertising to occasional spot broadcasting in addition to newspapers and magazines.

Rambeau Picked by WB To Play 'Tugboat Annie'

Hollywood, May 21.

Marjorie Rambeau gets the title role in "Tugboat Annie Sails Again," slated to shove off June 17 at Warner.

Alan Hale plays opposite Annie.

M-G Testing Red Skelton In Between Stage Dates

Red Skelton goes to the Coast next week to be tested by Metro. Understood it's for a one-picture deal, but the title is unconfirmed. Comedian is due back to go into the Paramount, New York, June 18 for two weeks, with options. He's also slated for the same house in September for three more weeks plus options. Even if options aren't picked up on either date he will have played 11 weeks at the house since Jan. 1.

Has also played six weeks since the first of the year at the Earle, Washington, and is under option for six more. He's made one picture, "Having Wonderful Time," for RKO. William Morris is the agency.

French Ballet to Spain

Paris, May 1.

The ballet of the Paris Opera will undertake the longest tour of its history on May 18 when the entire ballet corps, full orchestra, costumes and scenic equipment leave for Spain. Tour will last until June 16 and corps give seven performances in Barcelona, four in Madrid and two in Bilbao. Philippe Gaubert, director of the Opera, is in charge of the tour. Louis Fauriol, conductor, is in charge of the orchestra. The ballet master is Avellon.

Dances will be headed by Serge Lifar and include Milan, Loretta Danvers, Camille Ros and Balango Schwartz and Serge Peretti. Dances include "Casse and Polka," "Coppelia," "La Fata de l'Arlequin," "Daphne et Chloe," "Le Spectre de la Rose," "Amandine le Grand" and others.

Remoting Mirandas

Hollywood, May 21.

"Down Argentine Way" with Carmen Miranda featured by remote control. South American actress recently recorded six songs for the picture in New York, where she is currently at the Verisound, N. Y., and will not be required in Hollywood.

Irving Cummings steps in as director, replacing Sidney Lanfield, originally assigned to the job, but has left the job. Star is Alice Faye, with Don Ameche in the male lead.

Hollywood Chat Chat Of Former Two-a-Dayers

By BILL HALLIGAN

Hollywood, May 21.

Jack Black, the caffeine vaude partner of Gracie Allen, is now a monk in a California retreat. Still a good Friar.

Frankie Andrei hibernates between the Santa Anita meeting and Hollywood Park.

Robert Emmet Keane only works one week a month. He says it interferes with his golf.

A radio concern presented the Diamond quilters with five portable radios. The first thing they did was tune in on George Jessel.

Tommy Dugan and Norman French have written a play about vaudeville. It's about time some one wrote something about something they know.

Skinn Miller has a ranch out in the valley and can throw an average into the backyards of Jimmy Condon, Lew Pollack, Bobby Combs and Jack Horton.

Billy Thelander and Bert Hanson mixed their Raring Fours chess and were beat two hours with Al Klein. Whistle blows! He has a \$1,000,000 ranch in Hidden Valley and hopes it stays that way.

What this town needs is a Ham-burger Mary, a Sherman Billingsley, a Bill Carson, a Chet McCarthy and a little sunshine.

Reyk Ashley (Mathews and Ashley) walks to work but he hasn't been getting any exercise lately.

Donald Kerr (hand on the wall if I'm not too impulsive) and Jimmy Lucas refuse to surrender.

Arthur (Pat) West is m.m. at Jim Jeffries' Birthday light club.

Shaw and Lee have rented a pre-housing from Peter the hermit.

Charles Fox and Frisco walk on table at Grace Hayes' Lodge where Jackie Cooper is the star boarder.

Broderick and Crawford couldn't get a job as a team so they consolidated into Broderick Crawford and now they can't live down "Milk and Honey" in which their offspring played the stage-version Lenny.

Herb Correll and Charlie Williams (Mr. Big and Mr. Little) have opened a funeral parlor in North Hollywood and recognize the profession.

Bill Fields is rehearsing his new epic, "House Detective," and has engaged Lew Brice as technical adviser.

Bill Frawley and Bobby Watson are on a sit-down strike at Mrs. Walter Catlett's table.

Sammy Lee is directing short subjects at Metro's Little Billy's.

Capt. Irving Patrick Francis O'Hay has Tom in chess. He bet on Gal-hadron.

Jack Benny, Gracie Allen, Lew Carville and Bill Grady called on Fred Astaire Sunday. He made them all disappear.

Ala Lazzari, the burlesque tonic, relates the one about the stage manager who raved that the star was drunk and couldn't go on. The tag is "You think the man is drunk; wait till you see the understudy."

Order Montgomery Home After London Chore

Hollywood, May 21.

Metro ordered Robert Montgomery to return from England as soon as he finishes "Woman's Hysterical," now in the last stages of production at the company's Denham studios near London.

After has been instructed to leave without waiting for the preview.

Mrs. Laurel H.O.s

Helen (Mrs. Stan Laurel) is being held over another week at the Open Door Cafe, Philadelphia. She is booked for Depression Day with at the President hotel, Atlantic City, starting May 28.

In both spots she is on a guarantee against 25% of the gross.

SAILINGS

May 24 (Los Angeles to Honolulu) James A. Fitzpatrick, Hugo Butler (Lafayette).

May 18 (New York to Genoa) Max Weitz, Bela Bartok, Edythe Mahe, Allen Raymond (Manhattan).

May 18 (New York to South America) William B. Manley, Ballet Room Company, Thine Henschel, James Ruche (Argentina).

May 17 (New York to South America) John K. Harper (Santa Rosa).

Cantor's \$200-Per-Point Bonus

Brink-Myers will maintain Eddie Cantor in the Wednesday 6-8:30 spot on the NBC-red this fall, regardless of whether Texaco has Fred Allen on a parallel period over CBS. The drug manufacturer advised NBC last week that it's holding on to its present Wednesday night hour and that it will have "Mr. District Attorney" (Vitalie) following Cantor. Latter show is over on the red Thursday at 8 p.m. and the indications are that it will retain this half hour for a third program.

Cantor starts in Allen's present slot Oct. 2. Under his contract with Brink-Myers he's guaranteed \$10,000 a week, and for the first time in the history of the business there's an added bonus predicated on the C.B. rating that his program gets. (This contradicts last week's item by a Young & Rubicam spokesman.) Before Cantor can be eligible to a bonus his rating must exceed 20 points. If his rating averages 25 points over 20 weeks he will collect a lump sum of \$20,000 as bonus at the end of his first season. If this average of 25 points is not achieved over the 20-week period Cantor will get \$200 per point for the ratings that his program hits between 20 and 25 points.

Brink-Myers has two more options from Cantor for 20 weeks each. He is retaining Harry Von Zell on his program and the others in the cast are to be mutually agreed on. Cantor has already hired Joe Quillen and Irene Ellman. Cantor's contract also stipulates that he will do his broadcasts from New York unless picture commitments take him to the Coast.

In the case of Allen he will have complete charge of his program when he goes to work for Texaco. The show was sold on a package basis and it will be up to him to pick his own program support. The initial amount will have a summer half-hour (8-9:30, Wednesday) on CBS for 13 weeks, starting July 3. Latter will be a musical status framed around Frances Langford. Allen leaves for the Coast June 8 to start work on his picture with Jack Benny for Paramount.

German Film's 'Free Pass' Gag Touches Off 'Trojan Horse' Probe

THOMPSON'S N. Y. VISIT BEFORE GOING TO WB

In the east on private business, Harlow Thompson claims that he will begin his new contract with Warner Bros. as a producer Monday (27). The first picture has not yet been considered but several are under consideration.

With Paramount five years, Thompson swings over to the WB studio on a longer, which with options runs for that same period.

Mrs. Thompson (Marion Spitzer), who came east with the producer, got in ahead as result of Thompson leaving her at Rye City for a stop-off there. The spent return used by the end of the week.

L. A. to N. Y.

Fay Bainter.
Edgar Barrier.
Eugene Booth.
Phyllis Brooks.
John Carroll.
Madeline Carroll.
Frank Craven.
Charles K. Feldman.
Don Gibson.
Stanley Griffin.
Fanny Hurstmann.
Kath Rigdon.
W. B. Lewis.
Pete Lovethan.
Perry Lister.
Lew McCarey.
Joseph Nolan.
Bob Orr.
Ernie Palmer.
George J. Schaefer.
Albert Schneider.
Bob Sisk.
Seymour Skolnick.
Ralph Spence.
Jack Yelton.
Eugene Wesley.
Tom Wright.

N. Y. to L. A.

Edward Arnold.
Jack Burt.
Clarence Brown.
John Corbin, Jr.
Don Costello.
Doris Davenport.
Alan Fenn.
Paul Fennell.
Samuel Goldwyn.
Bill Halligan.
Rita Johnson.
Katherine Lucks.
Charles McCarthy.
Grace Moore.
Zane Pott.
Red Skelton.
Marion Spitzer.
M. W. Shad.
H. N. Swanson.
Harlow Thompson.
Lawrence Tibbett.
Spencer Tracy.
Arthur Ussat.
Cliff Work.

ARRIVALS

Jerry Finkelberg, Ray Vito

Publication of ads in the Paris-Herald-News and Pulveron Call, New Jersey publications, for the advertisement of "Der Westwall," documentary-warrent picture, was revealed by the Ridgewood (N. Y.) Herald-News over the weekend as a means of obtaining names of German friends in these communities. The Ridgewood weekly refused publication of the advertisement but reproduced it, asking the subject of this name-seeking, and implying that it might be the forerunner of fifth column activities.

The ad read "If you want a free pass, send us six names of your German friends. Address: Heika, Room 1, at 224 Seventh avenue, New York." This was signed by Henry Kaufmann, manager of Heika Film Exchange, at the Seventh avenue address.

Kaufmann told VARIETY that he merely was trying to build up a mailing list in order to put over his future releases. He denied that the search for names had anything to do with German propaganda. Kaufmann said he was Jewish and not a Nazi sympathizer, having been in business some nine years, post-Hitler.

Asked why he, a Jew, was distributing a propaganda German film, Kaufmann claimed he had been handling pictures made in Germany for years and could not immediately switch without jeopardizing his business. He said he obtained "Westwall" from Ufa for distribution, and that he regarded it as a secured of German strength, not as a propaganda pic. His Seventh avenue (N. Y.) office is on the second floor of a walk-up apartment house. Building directory lists J. Friedman in the same apartment with him.

In the trade, other distributors described him as a veteran indie distributor who had bought up a lot of Trotsky film when the German picture business suffered a decline several years ago.

As a result of the inquiry raised by the Ridgewood weekly's publication of the name-seeking by Heika Film Exchange, Kaufmann said the police of Passaic, N. J., had forbidden the showing of "Westwall" in that city. He stated the exhibition had been barred on the technical objection that the exhibition was in a non-dressed building, although, he said, it had been used previously for film showings. Kaufmann claimed that "Westwall" had played for six weeks at the 224 St. Theatre, Third avenue and 224 St. street, and in Brooklyn without any objections being made.

Kaufmann's power, which he denied for every six names of German enemies, did not represent a solution on the film engagement because a five service charge is made on each.

Zasu Pitts in Coast

Zasu Pitts went to the Coast last Friday (21) to do a picture with Anne Nagle for RKO. She intends to return east at once as it's booked. Will continue her radio series Down there.

IT'S THE N.Y. MIDWAY'S YEAR

Doug, Jr.-Hecht's Indie Pic for Col. May Be Prelude to Former's UA Yen

Prelude to the ambition of Douglas Fairbanks, Jr., to take over the position of producer-owner in United Artists made vacant upon the death of his father last December was seen this week in his deal with Ben Hecht in a producing unit. Five months for its initial production will suffice the release through Columbia which Hecht has held for the picture for some time.

Fairbanks will not only be co-producer, but will star in the film and help on the story. Picture is 'Behold I Die,' which Hecht was to make in New York with George Zucco, but which he recently transferred to the Coast. Hecht, who wrote the original, will direct. It'll be made on the Col lot.

Young Fairbanks has long had a yen to be a producer and has been anxious to get as his share of his father's estate the 30% stake of stock in UA which the elder Fairbanks owned. Standing in the way of this is the fact that the estate doesn't want to dispose of this stock yet as it is one of its best-paying assets. Should Doug, Jr., however, show success in the production field, it is felt that he would be a step closer to acquisition of the UA yen. (Continued on page 37)

Taxi Army—Again?

Out-of-town, after driving through the Times Square area last Saturday night, had a pertinent suggestion as to what New York could contribute to stop the apparently irrevocable German mechanized columns.

Well, cabs after being almost kidnapped by half-a-dozen taxis, his idea was that the drivers of the taxi tanks and armored cars could be started on a standstill by the maneuvering of a battalion of New York taxis.

MAX DILL'S S. F. EXPO ACTING BIT; EX-STAR

San Francisco, May 21. Max Dill, for 28 years a legendary Coast theatrical figure as actor and co-producer with Clarence Kellie of musical extravaganzas—actually high-class burlesques—will be in the cast of the Frisco Fair's 'Carnegie of America' as a principal principal playing five different roles.

The present status of Clarence Kellie is not known, but both men were extremely wealthy at one time and were familiar up and down the Pacific territory as 'The Weiss and Fields of the West Coast.' They were Italian comics and co-starred in all of their self-produced shows. At one time also operating their own theatre here. Occasionally they toured and played New York with fair success. Kellie and Dill split up around 17 years ago and Dill has been heard from or about either since. Before the partnership was wrecked, they appeared in a few shows in Hollywood, but never figured importantly as co-stars.

In 'Carnegie' Dill will appear first as Napoleon's brother and work down the line to the role of a Jewish peddler during the California Gold Rush days.

KY. COLONELS' FUND FOR COMPOSER FOSTER

Show biz's Kentucky colonels are being asked to snap up for those unstarred diplomats. All 'colonels' from Shirley Temple and Max Baer down have been requested to make donations to a fund to carry out plans for presentation of a life-size painting of Stephen Collins Foster, famous composer, to the State in commemoration to be held at Bardonia, Ky., July 4. Howard Chandler Christy, a Ky. colonel, will do the portrait.

Colonels contributing to the fund will receive as a gift a booklet containing their names, a copy of the portrait in color and a certificate inscribed a trophy which will serve as a permanent recognition of your interest.

Cooper Warms Up Souper

Hollywood, May 21. Gary Cooper had given into spring training for the role of a baseball pitcher in 'The Life of John Doe,' but Fifer's a veteran of the mound in many a National League ball game, is keeping Gary how to hit that ball over to first base without a balk.

This is the first intention that the Frisco Capers may have a baseball league. The rest of the year is still under wraps.

AMUSEMENT ZONE AT FAIR DOES OK

This, Despite Belief N. Y. Fair Opened Too Soon—Hits Stride May 20—80% of All Expo Admissions Visit the Great White Way

EXCELLENT PRESS

First full week of the New York World's Fair emphasized the earlier indication that this is the summer's year. Those who studied attendance figures say that 80% of the people who have visited the expo so far entered the amusement zone, now called the Great White Way. It is believed that the Fair opened two weeks too soon, yet Saturday 1381 admissions stood to 228,453, and Sunday the paid attendance was 222,588.

It was evident from the rather light attendance figures earlier in the week that the Fair will not swing into stride until Memorial Day (31), when the schools start closing down for summer. However, the 1946 Fair's first week was only slightly more than 1945's behind the same season last year, getting 222,583 paid admissions against 224,315 in '35.

Fair management is adhering to its plan to hold and boost the amusement zone, its top effort being (Continued on page 21)

Milt Harris Joins Benny Allen; Also Has Pix-Radio Plan

Cleveland, May 21. Milt Harris, after handling publicity for local Loew's office for four years, leaves Monday (27) for the Coast to become unit manager for Paramount's Jack Benny-Fred Allen comedy, 'Love Thy Neighbor.'

Harris also is teaming up with Benny, an old friend, in trying to interest a dozen radio, screen and stage stars in forming a profit-sharing, unique type of film producing company. Instead of hiring attorneys, backers of project plan to get scripts in a national contest, winning playwrights being engaged as production advisers. After-producers would first try it out in stage-play form, using the same cast for the picture if satisfactory.

Benny and Harris, the idea-men behind proposed company, intend patterning it after the New York Theatre Guild, incorporating some new film angles in the marketing end.

JES' AGENTS

On Chisel, Chisel, Who Gets the 10%.

Betty Humes, of General Amos Corp. (Buckwell), is doing a major bump at Al Rogers, fellow New York agent, for what he considers a 'cheat,' and what the trade terms are of the famous tracks pulled by a 20-year in a long time. There's an act involved, Frank and Jean Humer, but it's actually only incidental to the plot.

It appears that Rogers has done several deals for Humes, mostly political, and when Rogers called the latter and asked for the loan of the Humer's for a benefit, Humes quickly complied. Humes didn't think anything of it until he learned the names of Frank and Jean Humer in the cast of Michael Todd's 'Symphony of Paris' in the Music Hall at the N. Y. World's Fair.

Then Humes investigated and found that Rogers' benefit had actually been an audition for Todd. Now Humes wants compensation from the act, which he has been representing, and so sure 'taxes' from Rogers.

Lunts to Keep War Drama Going All Summer; Leigh-Olivier's 'Romeo' OK

Double Profile

Hollywood, May 21. Bill Fox double-crossed itself when it signed John Barrymore for the top role in 'The Great Profile.' Adolphe Menjou is sitting pretty with a contract to play the same part.

Now the studio faces the alternative of buying Menjou's contract or clearing him in another picture.

'DRIVING THE FUEHRER TO FUROR'

Paris, May 21. Refugee picture director Max Ophüls has contributed one of the best studies of the French end of its war with Germany, which is reportedly driving the Fuehrer to 'furore.'

Meant more for Hitler's ears than for the German people, Ophüls' sketch is called 'Berliner' and reminds the Chancellor of his violations and intentions in an endeavor to help him sleep. He is said to listen attentively to French broadcasts in the German language, so that it is unlikely that he has missed this sketch recorded on records.

The announcement, made with an accompanying soft musical realization of the German air of the same name, is addressed to Hitler:

'We know you suffer from insomnia, Mr. Chancellor. That is really too bad. You must surely know that one of the best and tried methods is to count. Do you want to try out a system with us? The tie for a matronage is then heard, and the summer dinner meal.'

'One, two, three countries annihilated... first, five, six, seven... institution, Mr. Chancellor. Count your victims in Austria, 194, 208... those in Russia, Germany, 199,200. (Continued on page 32)

'ONE GENIUS ENOUGH,' OOETS' GET DIVORCE

Los Angeles, May 21. Loretta Fainer, two-time Academy winner, divorced Clifford Oates, playwright on the grounds of cruelty. One of the instances of cruel treatment was a statement by the husband that 'one genius was all one family could stand.'

The suit was a revival of the original complaint, filed by Miss Fainer two years ago, but discontinued because of a reconciliation.

Chi's Battle of Comics; Hope, Berle, Joe Lewis

Chicago, May 21. Chicago's current 'Battle of the Comics,' with Bob Hope, Milton Berle and Joe E. Lewis pitted against one another in three different stages, indicates that there's plenty of fun in laughs to go around for all.

Hope, with Brenda Cowan and Jerry Colonna at his radio show, is in the largest capacity house 18,000, the Chicago, and nationally selling his own Berle is in the 3,200-seat Orland, this week marking the return of spots after a 14-week run of 'Come With the Wind' (M-GM). Lewis is quoted in the State-Lake, 2,700 seats.

Allred Lust and Lynn Fontanne, starring in 'There Shall Be No Night,' Alvin, N.Y., which is air-conditioned, will play through the summer, according to present plans. Lusts signified that intention during the first week of the war drama, in which they are intensely interested. They had intended taking an extended vacation, but 'Night' brought them back to the boards.

'Night' is topping all straight shows in Broadway, grossing more opening week than any musical and almost reaching the marks on the boards in that division. Takings last week were close to \$23,000, despite the continued slump, only variation being in standees. There are a certain number of subscriptions, presentation being by the Playwrights and the Theatre Guild.

'Romeo and Juliet,' with Vivien Leigh and Laurence Olivier, drew around \$15,000 at the Elit Street (Hollywood) during the first full week, that figure providing an operating profit and considered okay following an advance game. Harshad attraction had an advance sale of approximately \$25,000 prior to premiere, mostly in moderate-priced tickets. It is the most expensively produced 'Romeo' thus far, invest- (Continued on page 37)

U'S 51 WRITERS ALL TIME HIGH FOR STUDIO

Hollywood, May 21. Universal has 51 writers currently at work, the highest number in the history of the studio. More than 30 stories are in the scripting mill.

Mary Akin's Comeback

Hollywood, May 21. Mary Akin, star of the silent films and widow of Boris Carow, is back in pictures, playing a role in the John Ford production, 'The Long Voyage Home.'

Miss Akin retired from the screen when she married Carow in 1927.

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LLOYD MAKING SEQUEL TO 'BOUNTY' FOR U

Hollywood, May 21. What happened after 'The Making of the Bounty' is the theme of Frank Lloyd's first production for Universal. The idea is to picture further exploits of Capt. Bligh, whose name and deeds made up the bulk of the Metro picture.

To fend off possible legal reactions from Metro, which produced 'Bounty,' Lloyd and his associate, Jack Skirball, have filed three titles with the Regis office. They are 'Capt. Bligh,' 'Capt. Bligh in Australia' and 'Capt. Bligh Returns.'

McCarey and Fowler End RKO Stay, Look Around

Hollywood, May 21. Les McCarey checked off the RKO lot after unsuccessful jockeying with Jerry George J. Schaefer over a few financial arrangements as producer-director. Differences arose over the production costs of 'My Favorite Wife,' which ran just the budget while McCarey was laid up with an automobile injury.

Producer is debarking with other studios. Checking out with him was Gene Fowler, with whom he has two shows tentatively lined up.

Walk, Don't Run It—

Hollywood, May 21. Construction crews start work next week on a walled city to be erected in the Mojave desert by 20th-Fox for the filming of 'The Great Commandment.'

Picture, starring Tyrone Power, is rated as one of the studio's top budgeters.

Sisk's Spewacka Huddle

Hollywood, May 21. Bob Sisk, RKO producer, played out yesterday (Monday) for New Hope, Pa., to confer with Ben and Belle Spewack on the script for 'Sister Carrie,' which they are preparing and he will produce.

Sisk will pass a week at the writers' farm before returning to the Coast.

BAXTER'S RADIO SNOW

Warner Baxter was set last week for a commercial air show beginning in the fall by agent Frank Orentli in New York.

Details are being withheld until type of show to be built around Baxter is worked out.

B. S. Moss Offers No Panaceas But Presents Much Food For Thought for the Picture Biz

By B. S. Moss

As a veteran theatre operator I take exception to the recent attacks made in the motion picture trade press against the newly anti-trust looking bill and the Government anti-trust suit which comes up for trial on June 3. One published attack implied that, although motion pictures had been careful to keep about from party politics and propaganda, if it so desired, it could in itself public influence as to elect a president and congress.

Such a statement is not the way to solve the difficulties of the picture industry but only adds fuel to the fire. We might as well face the facts. The picture business was worked at a loss that had kept it in and held it to make the necessary corrections, but it had delayed doing it so long that finally the Government itself has stepped in.

I thoroughly agree with Will H. Hays' statement that this industry is capable of regulating itself from within. But when does it start? Who are to be the regulators? Who are to appoint them? And who are they to be responsible to?

We in the industry should get the answers to these questions very soon. Otherwise, we may find an unimpressed Government saying, like the despised kid watching Popeye, "Aw, it's a lot of spinach."

We must face facts. We are faced with Federal regulation, which is just another phase for Federal censorship; or State regulation and its 48 variations; or regulation from within. We have our choice, and we better hurry up and make up our minds, or we will find the Federal government and the 48 states making up our minds for us.

I believe that the situation in which the movie finds itself today is largely of their own making. Motion picture executives should open their eyes and recognize the situation that are present, then use their enormous creative and organizing ability to find new solutions to the problem of distributing movies after they have been made.

END A Unwieldy Stepchild

Unfortunately the exhibitor is regarded by the producer as a stepchild, a necessary evil in the business. In the movie business it is the buyer who enters in the seller; the exhibitor who must ask favors of the producer. This situation is a hang-over from the early days. As pictures became more and more expensive, some guaranteed method of distribution became necessary. W. W. Hodkinson suggested that the companies replace the status-right system of distribution and create their own exchanges, sell their pictures direct to the exhibitor and pay the cost of the distribution from the proceeds of the picture. This method was adopted and was largely responsible for the progress of the industry. But as the industry grew, abuses arose in this system. The industry was aware of these abuses and should have had the foresight and wisdom to correct them. The exhibitors are a vital part of the business, and I firmly believe that increased cooperation between the producers and the exhibitors is one of the most needed reforms in the industry today—and one that could be obtained without Government aid.

Amicable relations between producers and exhibitors cannot be reached through monopoly. The picture business is based on a continual need of new ideas and new methods, and it needs the stimulus of competition to provide these ideas. Varsityville at one time furnished a tremendous amount of entertainment, yet it disappeared, and one of the main reasons for that disappearance was the tendency toward monopoly which had developed and which killed progress. The picture business is trending toward the same situation. It was built on ideas. It grew from a mere reputation to a \$2,000,000,000 industry through the continued use of new ideas.

The movie moguls must recognize the fact they should be more vitally concerned than the Government in ways and means to encourage initiative and to produce a constant stream of new ideas—and they should wake up to the fact that

(Continued on page 29)

Hallinger's N. Y. Fable

Hollywood, May 21.

Mark Hallinger, author of "The Roaring '20s," is assigned to the associate producer chair on the follow-up picture, "The Fabulous 20s," another tale of Manhattan.

Hilbert Krone wrote the "Fabulous 20s" tale.

WAR MAY BULL BUSINESS IN CAROLINAS

Conditions in North and South Carolina, in the heart of the cotton belt, stand a bright chance of improvement beyond the satisfactory state now existing, as result of the war and the likelihood that large stores of the barley leaf will be moved. This is the opinion of Bruce Summerville, branch manager for Metro in Charlotte, in New York over the weekend.

Summerville declares that his territory is fortunate in that it includes tobacco, cotton and other agriculture as well as manufacturing, notably textiles. If one industry may be down, the other may be up, thus bringing about a balance.

Metro's Charlotte manager is optimistic concerning the war situation so far as business is concerned, pointing out that the warships in his exchange territory are filled with much of last year's crop. The war is likely to move that, he believes. Due to war, the cotton outlook is also brighter, he adds.

COL.'S 75% U.S. GETS 25% FOR GOVT.'S 'LIFE'

Distribution circles in New York noted their collective eyebrows and wrinkled at the terms of the contract won by Columbia for release of "Fight for Life," U. S.-made maternity film. Part calls for the Government to get 25% and Col 75%.

Terms of virtually all regular commercial release deals are just the opposite, the producer getting the heavy end and the distributor the light. Arrangement is frequently for the maker of the picture to get 75% and the distributor 25% until the negative cost is paid, when it changes to 50-50. Deal calling for 75% to the distributor, however, has been unheard of before.

Arranging for the terms may have been the fact that Col was the only major among the seven bidders for the picture.

Probably the Last U. S. Pic

Washington, May 21.

"Fight for Life," documentary film—perhaps the last of Uncle Sam's productions because of Congressional failure to earmark relief funds with which to carry on Government film production operations—will give the U. S. 25% of Columbia's gross receipts for a period of five years from the date the completed negative is received.

Disappointed bidders were: Jewel American Pictures, Amos, World, Film Alliance and Thomas Erudy.

Tex Still at It

Hollywood, May 21.

Tex Cooper, doing a bit part in "Gold Rush Maiden," is secretly playing himself at 88 years ago. Now in his 85th year, Tex claimed the desert as a gold prospector in 1888.

He went into the show business with Buffalo Bill in 1893 and has been trouping ever since.

Costs U. S. Newsreels 10G a Week in Europe

Coverage of the present "total war" in France and Belgium is costing the five American newsreels approximately \$10,000 weekly, according to estimates made in N. Y. this week. All of the newsreels have at least one cameraman, with different groups, some of them being attached, of course, to the regular signal corps or camera divisions. Additionally, the reels receive a batch of material nearly every week from the army photography divisions, all of which have been carefully edited to suit their own military purposes.

Newsreel editors admit that the availability of much material is slight but several hundred feet of film generally are culled from the mass of footage.

Despite this, all reels agree they have to have cameramen posted in different countries before warfare starts if a story breaks. For instance, all the newsreels presently have men stationed at key spots in Italy and the Balkans. Most of the reels have alternative material set up and ready for use in case actual coverage films fail to arrive in time. This also costs money.

Reels estimate it costs \$1,000 per month for each cameraman on active war duty. High prices for material, food and transportation run up the bill. Photographers have to buy automobiles, the sole means of fast transportation, because there is no such thing as riding them.

Paramount sent the field into Broadway theatres this week with Nazi bombing in Belgium by specializing the material it received from Europe early Sunday (18). Real hit the Times Square houses in time for first show Monday (19) morning, with other newsreels coming out with their regular editions Monday night, reaching the theatres after late that night or yesterday (Tuesday) morning.

Paramount also turned its special taken by Arthur Mesken, which gave a comprehensive picture of Nazi planes attempting to sink British cruisers as they left Norway.

NEW ERPI LICENSES TO CUT SOUND COSTS

Electrical Research Products, Inc., has accumulated a revised license agreement, which is retroactive to July 1, 1938, and Loew's, Inc., has signed the new pact. Other ERPI licensees likely will sign similar agreements in the next few months.

Under the pact signed by Loew's for recording and distribution of Metro pictures, reduced royalty rates and other concessions are granted, being effective as of July 1, 1938.

Ingster's RKO Initialer

Hollywood, May 21.

Burt Ingster's first job as director at RKO is "The Stranger On the Third Floor," slated to start June 4 under production supervision of Lew Marmor.

Picture co-stars Margaret Tallichet and John MacGoyre.

Hays Codists Not Easing Up; Merely Readjusting Standards to the Times

Profit-Share for RKO

Hollywood, May 21.

Frank Ross and Herman Krass closed a deal with RKO for the release of their profit-sharing picture, "The Devil and Miss Jones," starring Jean Arthur.

Ross, as producer, Krass, as scripter, and Miss Arthur, as star, have an agreement to work without salary and split the profits.

SOL LESSER'S THEATRE YEN GETS BRUSH

Department of Commerce has spiked the plan of Sol Lesser to join, with other United Artists producers, in purchasing or building theatre in various spots throughout the country as outlets for their product. Plan, in which Lesser has been assured cooperation by several other UA film-makers, envisaged houses in those spots where closed situations or other factors make it difficult to get "proper bookings."

Despite the D. of C. hit, however, and a thumbs-down from Paul Williams, U. S. government attorney in New York, Lesser declared yesterday (Tuesday) he still feels the objections can be overcome. He is trying to work out a plan of franchising houses operated by indie exhibitors so that the towns or producers owning theatres could be averted.

When Lesser came out early last week it was with the hope that UA itself might join in the building or acquisition of houses, but the talks in Washington and New York crashed that completely. In addition to the governmental objection UA execs privately expressed themselves as not interested. Company formerly operated the UA circuit and officials said they were pleased enough to get out of that without starting all over again.

Lesser said he has one or two spots on the Coast in mind to begin with and would like to acquire them as a small scale beginning. How many towns exist throughout the country in which it would be necessary to operate theatres, Lesser said, hadn't been decided. Situation is worst, he stated, in cities where small circuits have control or in which there is a one-theatre monopoly.

Producer was planning to address the UA board meeting yesterday (Tuesday) on his plan, but the meeting was put off until next Monday (27). He said, however, in light of his talks in Washington he will not attend the board's session.

PLAY'S B. O. CUES ANEW N-G 'NUTMEG' INTEREST

Moderate success on Broadway of "Lady in Waiting," legions with Gladys George, has renewed Metro's interest in filming it. Company owns the screen rights, having several years ago bought the novel from which the play was adapted, "The Nutmeg Tree," by Margery Sharp.

Shortly after it bought the book the studio had a script prepared for filming, but was dissatisfied and shelved it. Story had been almost forgotten since then, until the play opened at the Martin Beck, N. Y., eight weeks ago. Now Metro's talk of having another writer take a try at a script and of possibly using Gladys George in the filmation.

Asher Revives 'Witch'

Hollywood, May 21.

Return of Irving Asher to Metro after having his trip abroad called off due to war conditions has revived production of "Witch of the Wilderness."

Clark Gable is top contender.

Sweeping denial has been made by the Hays office that the promoting code has been changed, modified or its interpretation hastily altered. Interpreters of the Motion Picture Producers & Distributors Code, code regulation say that it simply has been adapted to changed times and social ideology. Handling of the Hays PCA has been compared with the manner in which economic and social conditions of 40 years ago differ considerably from today, simply being interpreted differently. So, it is claimed the Hays code is handled.

The strength of the MPPIA production code is indicated by its ability to maintain its operation without any change in the philosophy, according to Harrison. The bars are not let down but admittedly different types of stories are offered for the PCA to handle. Ability of screen writers to write around technical angles also speaks well for improvement in production facilities on the Coast, it was pointed out.

Thus, a "Crimes of Youth" (last week) would have been impossible to produce 20 years ago. But the attitude in the U. S. towards migratory workers has changed since then. The history of "Tortilla Flat" script also is definite indication of how trends have altered in the last few years. This year was kicked around a couple of studios before Metro decided it could be made. In other years, the unwary might be not explicitly shown and have allowed to appear attractive.

All of this leaves more and more for Joseph I. Brown's department to interpret. On an average, 200 feature productions come under his supervision annually, and the minimum of routine criticism speaks for itself.

20th-Fox's 1st Quarter Net of \$353,376 More Than 870G Below 1939

Net operating profit of 20th-Fox declined more than \$300,000 in the first quarter this year as against first quarter of 1939, according to the financial statement issued for the 13-week period ending March 30. Report showed net operating profit of \$353,376 for the initial quarter this year as against \$1,224,356 profit in comparable quarter of 1939. It compares favorably with the \$28,217 reported for the final quarter of last year which, however, was increased by the inclusion of annual dividends from National Theatre Corp., amounting to \$204,000 in 1939. 20th-Fox holds a 67% interest in National Theatre.

Note is made of the fact that no dividends were received by 20th-Fox in the first quarter of either year. Profits for the first quarter were deemed sufficient to cover the preferred dividend in that period this year but no mention was made as to the amount remaining for common shares.

Gross income from sales and rentals totaled \$12,382,302 for the first quarter this year, with additional income bringing the total to \$12,807,382. Of operating expenses amounting to \$12,312,302, amortization of production and other costs were listed at \$8,457,311.

GREENE'S NEGRO PIC

Documentary Film Backed by Rockefeller

Film Associates, Inc., new production organization headed by Felix Greene, former American rep for British Broadcasting Corp., starts shooting next week on its social picture, a documentary on Negro education, financed by the Rockefeller Foundation.

Greene and his new partner, another of the six members of Film Associates, are presently in Detroit conferring with a committee of Negro ministers on the script. Roger Barlow will go down next week to do the camera work, half of which will take place in Whittier, Cal. It's expected to take from four to six weeks, with initial shooting at the American Negro Exhibition in Chicago this summer.

Other News Pertaining to Pictures

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PIX WRITING OFF EUROPE

A NEED FOR ACCORD

Within the next few weeks all the major film companies will have completed their annual sales conventions. More than 1,000 salesmen, properly enthused over the proposed output of their respective companies, will start the yearly solicitation of theatres for seasonal contracts. The great push is on, the drive for more accounts, higher percentages, preferred playing time and extended runs.

It is no secret within executive councils that the approaching season is being considered one of the most difficult that the companies have ever encountered. Each day, each hour brings further proof that the European market for American films is being further curtailed and restricted by military events. With the loss of every dollar from foreign revenue, the load against the domestic returns increases.

It would appear to be a matter of simple arithmetic that losses in one direction shall be made up by increases from another. But it is not so simple as that. In a national survey of theatre operators which *Variety* has just completed, the conclusion was unmistakable that exhibitors do not believe the shortages can be made up from a domestic market which already is forced to the limit of film rentals.

If this conclusion is true, something more basic than sales enthusiasm of a distribution force is required to cope with the situation. Despite protestations that it can't be done, drastic economies in production costs must be brought about. For the first time in years the film industry is faced with the necessity of cutting its production pattern to the size of the cloth.

It is obvious that production cost cannot be trimmed if studio programs are carried through, as in the past, on the basis of volume output, at the expense of quality attractions. Under blockbooking and blind selling, strong films must carry the commercial weaklings. It will be a major operation, accompanied by much wailing and gnashing of teeth, but the impending season will find studios, through force of circumstances, eliminating questionable stories, experimental subjects and untried or undeserving talent from their programs.

After such a purging and pruning the film industry will have more than an equal break with the paying customers. Good films will have a chance to demonstrate their true earning ability, unhampered by the load of weak filler-in releases. Credit for smart production brains will go in the right direction.

Most encouraging note from distributors is the announcement of many that advertising appropriations are being stepped up for the new season. Effective showmanship spending to back up selective production will lift theatre attendance and film rentals. There probably never was greater need of mutual understanding between producer-distributor and exhibitor than in the current crisis.

Another Payroll Pruning Spree In H'wood Due to Foreign Status

Hollywood, May 21. All major studios, with the exception of RKO and Universal, are on another payroll pruning spree because of slump over the foreign situation and increasing loss of revenue from abroad.

Strictest economy was ordered at Warner Monday (21) when Jack L. Warner called in all department heads for a whittling session. Word was passed along that every department would be hit by the new wave of retrenchment. All executives were ordered cancelled except those in fluid members whose contracts provide for foreign.

Overhead trim is expected to be ordered within the next few days at 20th-Fox with the arrival yesterday (Monday) of Sidney R. Kent, president, and Charles E. McCarthy, publicity-advertising head. Paramount is also in a paring mood and cuts and dismissals are expected to follow the sales convention and meeting of the execs here this week.

Columbia is figuring where to trim overhead to offset the loss in foreign revenues. Universal is said to already be at rock bottom and RKO's are full last September when the war broke out. At that time some salaries were trimmed as much as 25%.

Dunlap's Memo, Davie's U Deals, Shown via SEC

Washington, May 21. This and how of pix stock, reported today (21) by the Securities & Exchange Commission, showed a large gift of Monogram Pictures Corp. options to Brett R. Dunlap, Hollywood office of the company, and several transactions in Universal Pictures Co. stock by Freddie Davie, New York's stepson of Col. David.

Dunlap acquired in gift two identical blocks of options, 1,000 each, for Monogram-Pix common. His holdings in options of the stock of March were valued at \$2,813.

The Universal official bought 100 shares common on March 25, but sold 20 shares of common in 14 preferred Universal on March 12, 20 additional shares on March 24 and 40 shares on the following day. After dumping the 16 shares of cumulative preferred, Davie was reported to holding only the 100 shares of common stock at the end of March.

FILM BIZ TAKES STOCK OF SELF

Market's Reappraisal of Film Shares—Production, Anticipating Further European Blow at the Box-office, Trimming Sails Even Closer

BRITISH MARKET

With financial circles meeting up the paper losses suffered in the stock market last week to film shares alone, reappraisal was being made by the picture industry of the strides taken so far in overcoming foreign losses. This summation meant something, because financial bigwigs of nearly every major company have been on the Coast in recent weeks to check production costs and make readjustments in line with losses abroad. Summary of these several surveys are reported to show that:

(1) Production has been realigned to trim waste, and likely will continue, not being merely a transitory policy.

(2) No distinction is quickly of productions is contemplated.

(3) Pressure has begun on isolating sales, possibly via linked rentals, with exhibitors offered advertising and exploitation assistance geared to secure maximum headline returns.

(4) Companies with theatre outlets undoubtedly will withstand the decline in foreign revenue better than others and may overcome losses suffered outside U. S. territory if only a minor pickup is recorded at this country's boxoffice.

Executives familiar with books of various companies admit they are astonished at the amount of waste already eliminated on the production end. They believe this means of meeting a critical situation suggests well for steady maintenance of earning power by a majority of film companies. Also that present stock market prices are far out of line with the earning potentialities of most picture firms.

Although thus far it has been impossible to trim certain salaries or reduce labor costs to any appreciable degree, a number of companies believe this will be necessary if the British market remains as uncertain as it is today. Few executives will admit that there will be fewer productions turned out in 1940-41 than in the current season, but many of those produced for double-feature bills will be budgeted in line with domestic returns.

Consensus is that economy drives will be so wise affect the outlet for large pictures. But with this caveat on budgets, producers have been told that when a vehicle obviously is unsound for foreign audiences, they must keep expenditures within anticipated revenue return in the U. S. market. Already several companies have decided to send fewer features to Australia, and probably will do the same with England, thus eliminating some pictures from any foreign revenue.

Sales drives this year will be to secure speed rental deals wherever the turf will bear a bit. Many companies will offer additional exploitation-advertising service and in putting across higher rental pictures.

The most encouraging outlook is for companies with positive affiliates financial statements estimate that even a rise of 5-8% in total U. S. boxoffice receipts would bring equalizing even as high as a 50% gain in foreign revenue. With 100% of the picture, however, that it would take an increase of 10-12%. But a firm-minded average probably is entered eyes for a major increase in 1940-41.

(Continued on page 21)

Hitler's Total War Blacks Out Film Sales Confabs in London and Paris

Rep.'s Switcheroo

Hollywood, May 21. Herbert Yates said today that Republic will make more pictures than last year with bigger budgets, necessitating hiring more help to turn out product. Last year the studio made 55 features and four serials. Films will be geared for the western hemisphere market with total disregard to warring countries.

Hammons' Kin Wants to Reorg Educational Pix

Edmund V. Halley, nephew of Earle W. Hammons, former president of Educational Film Corp. of America and Grand National Films, Inc., is considering the reorganization of Educational Film Corp., John E. Joyce, special master in N. Y. federal court was told Monday (21). The situation was a hearing on Educational Film Corp. in which the referee restrained Halley from foreclosing on 20,000 shares of Educational stock until 30 days after federal Judge Edward A. Conner passes on an application to remove the trustee, James A. Davidson.

The stock was originally given to Hammons' mother in return for a \$100,000 loan, and she in turn, passed it over to Halley. The trustee, Davidson, claims irregularity, and is seeking a stay of foreclosure so that he may bring an action to set the transfer aside.

DISCREDIT U. S. COIN FREEZING IN CANADA

Despite reports that Canada would freeze part of American distributor coin, official U. S. industry sources claim that's unlikely.

Free flow of currency between the U. S. and Canada plus a likely profitable vacation season expected in Canada, via American tourists—a good-will booster—probably will forestall any restrictions, at least for some time.

Film Character Basis Of \$250,000 Libel Suit

Gloria Carroll's \$250,000 libel suit against Lasker's, Inc., has been set for trial in N. Y. supreme court for May 27. The plaintiff, also known on the stage as Zolicka, Madame Zolicka and Princess Zolicka, claims libel, violation of civil rights and unfair competition in *Idiot's Delight*.

The plaintiff claims that the character played in the film by Laura Hope Crews maligns her.

RKO Bids for Cartoon

Hollywood, May 21. RKO wants to make a series of shorts based on Fiddlers Flat's comic page panel, *The Terrific Tempered Mr. Bump* and has opened negotiations with the cartoonist.

Edgar Kennedy would be starred in the sketches.

WAR NEWS KAYAKS CANADA

Regina, Sask., May 21. Renewed activity on the European battle fronts has knocked Canadian movie makers for a loop, say movie agents.

People are sticking close to their radios for the latest news flash.

Hitler's total war has blacked out all foreign sales confabs in London and Paris and forced U. S. picture executives, contemplating trips abroad, to cancel their previous plans. Lack of informative cables has left foreign sales chiefs in New York in doubt as to damage done to offices, film supplies and personnel in the Netherlands and Belgium. No definite word has been received regarding the situation in France but information indirectly from there indicates cinema business has been badly hit.

Status of the Dutch and Belgium markets is still undetermined but is bound to suffer as result of the property damage in such key cities as The Hague, Brussels, Amsterdam, Rotterdam and Antwerp. Combined revenue is estimated as being 3% of all foreign revenue received by American companies. If both countries are to be under German domination, it's likely only 20th-Fox, Paramount and Metro, of the Tenk firms, would continue doing business there since they always have maintained distribution in German territory. Nothing like the former return would be secured, even without losses incurred by the war, because of Nazi blacked-market policy and limited number of U. S. films allowed for distribution in Nazi territory.

W. J. Hutchinson, 20th-Fox foreign sales manager, who planned leaving today (Wednesday) after originally scheduling his trip May 15, has converted his visit to London and Paris. He had booked passage on the Clipper, but indications are so dubious about being able to get from Portugal to Paris that he called off the whole thing. Hutchinson wanted to be present at the London and Paris annual convulse of foreign sales managers. Such meetings now have been cancelled indefinitely.

Arthur W. Kelly, United Artists' foreign sales chief, also abandoned plans for his European trip this week. He had planned taking the Clipper after the U. S. domestic sales convention but decided it's futile to attempt any foreign sales confabs under present conditions.

Korda's Delay

Kelly was dubious about his ability even to get through to London or Paris. Alexander Korda, UA producer, took about a week to make the trip via Clipper because of delays caused by military necessity. Word received at the home office was that Korda finally had arrived safely in London after being stranded on south coast of the time in Spain. Since he got through, passage from Paris to London has been practically halted excepting for military forces.

John W. Hinks, Jr., Paramount's foreign boss, originally had registered going abroad to attend Paris and London sales meetings but gave up the idea when the Scandinavian invasion began. He considered it a waste of money to attempt even regional sales confabs under such conditions. (They sales managers who originally contemplated attending European sales confabs also cancelled.)

Edgar Kennedy, Metro production executive, and Irving Asher, company producer, who planned going to England for a preview of the company's British production which was shown, their trip last week, with Kennedy returning to the Coast several days after Asher went back.

Benefactors from Belgium, the Netherlands, Denmark, Norway, Sweden and France to N. Y. have ceased during the past few weeks. No revenue has come from France because the run has been temporarily frozen awaiting a decision by the government on relieving part of American contributions' get paid.

Law of the Belgian market is considered a tough line as compared to the other nations. American films have dominated the program in many theatres of that land. French-produced pictures were the

(Continued on page 21)

UPPED AD APPROPRIATIONS BY ALL PIX COS. NEXT SEASON TO BOLSTER U.S. BIZ

Long a Pre-Seasonal Gag, Film Industry Serious About It—Metro and UA Announce Ad Budgets, Other Companies Ditto—Work with Exhibs

Briskening every effort to compensate for foreign losses by jacking up domestic grosses, virtually all major film companies are pumping big money into appropriations for advertising, publicity and exploitation in 1940-41. Two districts who have already held their sales conventions, Metro and United Artists, have announced some which represent hefty increases over schedules of past years. Other companies are either withholding their figures for publicity breaks on them at their annual meetings or are saying no definite sums while they wait on developments of the European conflict.

Making kamikaze predictions of more and better advertising and exploitation prior to the film selling season has always been an accepted and popular pastime of industry execs. Despite this time, however, is that they really mean it, for with the situation so serious important steps must be taken. Evidence of honest intention is revealed, also, in the two companies' appropriations already announced.

UA's expenditures will total \$1,000,000. This is for 20 pictures and represents probably the highest average per picture in the industry, \$100,000. Average in the past has been about \$60,000 although some films have had far less spent on them while others have been allotted much more.

Metro has set its figure at \$1,700,000. This is about \$250,000 more than the total budget will have amounted to at the end of the 1939-40 season, Howard Dietz, publicity-advertising chief, said yesterday (Tuesday). It will be spread across 40 pictures.

Warner Bros. is one of those studios withholding its appropriation announcement for its convention, but Mervyn Duvall, publicity-advertising chief, declared yesterday that it will be far in excess of the approximately \$1,000,000 spent this year. It is expected that the company will turn out over 50 pictures as compared to the 40 during the current season.

RKO stands about the same as Warners, desiring to hold up its announcements of the sum to be spent until the convention next week. S. Barrett McCormick, chief of the publicity division, declared positively, however, it will show a considerable increase over the present year.

Twentieth-Fox, which paid not about \$1,000,000 for promotion during 1939-40 will also up the sum. Herman Whidder, sales chief, declared yesterday. Paramount has declined to reveal figures, but Robert M. Gilman, publicity and advertising chief, informed the trade press last week that it will be "more than ever before."

Universal and Columbia offer the only uncertainty among the majors at the moment concerning plans for titling budgets. Maurice Bergman, Col. publicity-advertising, declared the company never sets any figures, while Rube Rumburg, pres. of U., said appropriations are now being made and a decision will be made shortly.

Standing to profit principally from the increased appropriations are newspapers and trade papers. Latter are coming in for increased attention because of a realization of what pre-selling can do, as evidenced by "Gone With the Wind." Daily newspapers, it is virtually unanimously agreed, do by far the best pre-seller job of selling the public.

Considerable portion of UA's increase will go to support the staff of 15 permanent field exploitation men which will begin work on June 1. Lynn Farnut, UA publicity-advertising head, also revealed at the Chicago convention last week that there would not only be an increase in money spent, but a change in method. This will probably likewise hold true for other companies.

"No longer will we lay a large sum on the line," Farnut declared. "Three months before we see a picture and then hope that the picture is what we say it is and that the insertion date of ads and playdates of the

Stage vs. Film

Syracuse, May 21.—The dramatic department of Syracuse University, which operates the University-Civic Theatre, downtown house, tried a new experiment this week which seemed to click and which has professionals taking notice. Offering a revival of "Stage Door" (RKO) in the film version, the dramatic department combined with it a stage presentation of several of the scenes in the play, with university students playing the roles.

This is a variation of the stunt used here by the Paramount, Schine house, which once a month presents a one-act by the Little Theatre in conjunction with its film fare instead of the usual double picture bill.

PAR'S FIRST QUARTER \$300,000 AHEAD OF '39

Dividends on all three classes of stock were declared by Paramount directors last Wednesday (15) after Barney Balaban, president, reported increased earnings of more than \$200,000 in the initial quarter this year. Not only were the usual quarterly distributions of \$1.50 on the first preferred and \$1.00 on the second preferred declared but the directors also declared a 15c dividend on the common. All are payable June 15 to stockholders on record May 15.

Paramount officially estimated its consolidated earnings as \$1,000,000 for the first quarter ended March 30 as against \$1,300,000 in the first quarter last year. In both instances this is after interest and all charges. Earnings for the first 1940 quarter were equal to 32c per common share.

The 1940 first quarter included \$120,000 as representing Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter of partially-owned, non-consolidated subsidiaries. In the initial quarter last year this direct and indirect net interest totaled \$90,000.

Company also announced that the parent corporation and consolidated companies had about \$12,000,000 in cash on hand on March 30 last. Non-consolidated companies in which Par has interests also were reported in strong cash position with \$4,500,000 on hand. Paramount's interests in these companies in most cases is 50%.

Report cited that Paramount is in a fortunate position in having interests in numerous theatres throughout the U. S. which are not directly affected by the European conflict. It also was stated that total debt reductions of Par and consolidated subsidiaries since 1935 reorganization amount to more than \$17,000,000, and that interest charges have been reduced upwards of \$1,700,000 annually in that period.

Consolidated Film directors last week declared a quarterly dividend of \$1.00 on preferred shares outstanding. Dividend is payable July 1 to stock on record, June 15.

Rep. Anchors Autry

Hollywood, May 21.—Gene Autry's option at Republic was renewed for another year, with a proviso calling for six more pictures. Western star has been on the valley lot for five years.

picture doctored. That is an extravagant and wasteful practice, scattered and too diffused for those times.

To as great an extent as possible, UA will follow a policy of advertising-exploitation as important pictures to experienced with copy themes, publicity angles and varying emphasis on the end. We also expect to develop new exploitation and cultivate word-of-mouth during the last engagements to attract the ultimate potential audience for a picture.

'Shepherd' Rooms Again

Hollywood, May 21.—"Shepherd of the Hills" goes another remake at Paramount, with Betty Field and Robert Preston in the high bracket. Stuart Walker produces and Henry Hathaway directs.

Harold Bell Wright yarn was made twice before as films.

WB FOR 1940-41 MAY HAVE 50-55 PICTURES

With outside producers to make pictures for release through Warner Bros., three being set at far, the company for 1940-41 will have between 50 and 55 features. This compares with 48 this year (1939-40), all from Warners own production forces.

George S. Kaufman and Moss Hart will produce "Man Who Came to Dinner," possibly a second, while Jean Lucky is set to turn out "Aloha Yuck" and the Frank Capra-Robert Maltin unit "Life of John Doe." All these are outside deals.

Shorts lineup for a total of 80 will be the same as for this year when a substantial reduction was made to that figure from the prior season.

Switching original plans for a convention in Washington, WB holds two sales meetings, the first in Pittsburgh, June 10-11-12, and the second in Chicago, June 17-18-19.

UA Board Meets 27th

Meeting of the United Artists board of directors, postponed from May 7 because of the illness of Murray Silverstone, UA chief, has been set for next Monday (27).

It was tentatively slated for yesterday (Tuesday), but inability of several directors to attend caused the further postponement.

With Foreign Income Slashed, U.S. Must Be Sold At Tops—Selnick

"It's the only way I think I can stay in business," David O. Selnick declared Monday (19) at the plan he announced to the United Artists convention last week of selling each of his pictures to exhibitors separately and only after they have been trade-shown.

"With foreign markets cut off," the producer asserted, "the film business has reached a point where we must capitalize to the fullest on domestic possibilities. If I turn out a smash hit I want to get all possible out of it and I feel that trade-selling before setting a picture will make that possible."

"By the same token, I am ready to take a beating if a picture turns out to be a failure," Selnick continued. "The exhibitor is not in a position now to pay more than a picture is worth, and there is no reason for him to suffer if a film doesn't come up to expectations."

Despite his plan to have his own pictures sold separately, Selnick refused to commit himself on blockbooking as a general principle. He declared he is against blockbooking for his own pictures now, and always has been, but would not go beyond that. His fellow-UA producer, Samuel Goldwyn, recently came out flatly against block booking.

As for the actual mechanics of the single-picture sales, Selnick said that after exhibitors have seen the picture they will go to the salesman for their territory and work out a deal. Except in a very general way, rental percentage in exhib will pay will not be set in advance. There will be no

William S. Hart Wins \$300,000 From UA On Old Blockbooking Deal

Albany, May 21.—Award of \$300,000 to William S. Hart in his nine-year-old suit against United Artists was upheld unanimously in the N. Y. Court of Appeals here today (Tuesday). No further litigation is possible in the long drawn-out and bitterly-fought case.

In his suit, filed in 1931, Hart contended that a picture he made for UA release in 1926, "Tomb Raider," was blockbooked and sold for a lump sum in conjunction with product of four UA stockholders. He claimed this was contrary to the terms of his distribution contract, that it injured the sales value of the film, and that he was handed an arbitrary and insufficient percentage of the total take on the bulk sale.

Hart's picture, it was contended, was sold with the product of Mary Pickford, Douglas Fairbanks, Joseph M. Schenck and D. W. Griffith, particularly with a picture by Schenck, "Wild Justice." Group sold for \$1,300,000 and Hart was given about 2% or \$260,000. From this UA took 10% as a distribution fee. Hart claimed the picture cost \$200,000, which meant he took a loss on it. He declared his quota was at least \$300,000.

UA, represented by O'Brien, Driscoll & Ralston, claimed the film was not successful and that Hart was too old for the role he played in it. Frederick Henning, of House, Goodman, Voorhees & Hendler, representing Hart, argued that UA had 11,000 contracts for the film, the highest number for any picture up to that time.

Case was originally tried in N. Y. supreme court and sent back by the Appellate Division for retrial. Hart again won a favorable decision in the lower court, and again it went to the Appellate tribunal. Yesterday's decision by Justice Irving Lehman was in support of the Appellate body's verdict.

Newbury, McBride Team In 'Show Biz' at RKO

Hollywood, May 21.—Alan Newbury and Donald McBride signed a two-picture deal as a comic team at RKO. First is "Show Business," to be produced by Howard Benedict.

William Utman, author of "Business," is working on the second yarn.

CENSORS IN PA. MAY CREATE PIX JAM-UP

Philadelphia, May 21.—A film shortage—one of the most serious in Pennsylvania motion picture history—is feared by Pennsylvania exhibitors as a result of last week's ruling of the State Board of Censors that "emergency" seals are immediately abolished and that distributors must pay the regular levy of \$2 per reel hereafter.

Until this action was issued, distributors had been paying the \$2-per-reel fee for original prints (usually the first 10 or 15). In the event that extra prints were needed to take care of added bookings, the board had allowed "emergency" or "X" seals at the rate of \$1 a reel. These were offered at the ratio of one for every four prints, and were good for a period of 30 days.

Under the higher fee, distributors must likely "sell" large making extra prints than forcing exhibitors to wait longer periods before delivering pictures. An eight-reel film, for instance, would entail an added expense of \$16, a sum almost equal to rentals in latter runs.

Naturally, distributors will not order extra prints unless the run will be profitable enough to warrant the extra expenditures. And since most of the more profitable attractions are those which are served first (initial runs, subsequent runs, key dates, etc.), it is believed that extra prints will be made only on rare occasions. Consequently when the letter runs play day and date with each other, there will be a serious jam-up of product with less favored exhibs being forced to wait for their turn for the picture.

Mrs. Edna E. Carroll, chairman of the censor board, defended her action in outlawing "emergency" seals on the ground that they were not covered by State censor law.

"The issuance of these seals was merely a practice started by exhibitors 18 years ago as an accommodation to distributors," she said.

"I am merely returning to the letter of the law as interpreted by a decision of the State Auditor-General's office."

Observers pointed out that Mrs. Carroll's action was in line with a general trend in all State departments to try to find extra revenue in order to alleviate the serious shortage in the State treasury.

Local exchange men were surprised at Mrs. Carroll's order killing the seal. Until now relations between the board and members of the industry have been most cordial. A couple of months ago Mrs. Carroll went on a Hollywood junket paid for by the major film companies.

Studio Contracts

Hollywood, May 21.—Reginald Owen inked contract at Metro.

Warners lifted the option on Ronald Reagan.

Universal signed Julie Dornan to player part.

Karl Tunberg drew writer ticket at 20th-Fox.

Metro handed Richard Lerry Hunt a player deal.

High Cummings got option lift as acting director at Warners.

Metro issued writer contract to Ethel Frank.

Billy Burke's option, lifted by Metro.

Thomas Sellers, scripter, drew new Metro ticket.

Metro lifted John Skelton's player option.

Hal Roach renewed Gordon Douglas' contract as director-writer.

Robert Metzler inked a writing ticket at Metro.

Anne Baxter drew a player part at 20th-Fox.

Metro picked up its player option on Ann Martin.

Sam Krasa handed new ticket at head of Metro's wardrobe department.

Bill Elliott signed for eight weeks at Columbia.

Metro lifted the producer option on Frederick Stephani.

Estyn Kuylen inked an acting ticket at Columbia.

20th-Fox contracted Stella Silva as a player deal.

SLOT-MACHINE ACTOR BOOM

N.Y. Operators' \$597,000 Back Pay Claims vs. Circuits Being Parleyed

Suit of the New York operators' union, Local 206, to recover \$597,000 in back pay allegedly due from RKO, Loew's, Warner Bros. and Paramount, may not reach court. Following institution of the action and a deadline of June 20 in which to make answer, the four chain defendants have appointed a committee of two to appear before the exclusive board of Local 206 on the matter.

While this may not result in a settlement, it strongly presages the possibility of a compromise. At a meeting held during the past week, the RKO-Loew-Warner group designated Major Leslie E. Thompson of RKO and C. C. Madorsky of Loew's to go before the 206 executive committee to discuss the case. Appointment of Thompson and Madorsky to appear officially before 206 is said to be with the approval of Joe Brown, president of the operators' local.

The suit of 206 against the four circuits, it was explained at the office of Matthew M. Levy, counsel for the union, arose out of a voluntary cut of 15% taken by the operators in February, 1932, which it alleged was never restored. Agreement made with the chains at that time was that the 15% reduction taken from February, 1932, to Aug. 31, 1933, would be restored the following year. It was understood as a part of that agreement that conditions would dictate whether only one-half of the cut, at 7.5%, was to be restored.

Neither Cut Restored

Neither the 15% nor the 7.5% cuts were restored. Two leading sources of action figures, the other two being technical. One is for restoration of the 15% cut, the other the 7.5% restoration taken.

Loew's is sued on the first count for \$200,000, the other action for \$180,000. This covers a total of 45 theatres. From RKO, for 25 metropolitan N. Y. houses, the union seeks \$150,000 on one count of action, \$75,000 on the other. Paramount, which six years ago had the N. Y. and Brooklyn Pals, plus the Pat, Stapleton, B. L. and the show-rated Criticism and Bluff theatres, is sued for \$200,000 and \$11,000. WB, operating the N. Y. and Brooklyn Strands, plus at that time the Warner and Hollywood, are defendants in the amount of \$12,000 and \$11,000.

Music Hall is among the 50 houses listed in the RKO action since it was then operated by this circuit. The suit of Local 206 against the quartet of circuits is without regard to the increases in booth scale granted since 1934. Recently a three-year renewal was negotiated calling for a boost of 8% this year; an additional 5% for the second year and a 7% lift for the final year of the agreement.

Eastern Publicists Ally With H'wood P. A. Guild

Between 150 and 200 members, now paying tentative dues of \$1 a month, are reported in the Screen Publicists & Advertising Guild of New York which has voted to affiliate with the Hollywood Screen Publicists Guild. This supporting group of between 150 and 200 includes men in the major publicity home offices as well as freelance workers in the picture field.

Eastern unit differs from the west in that artists are included in the membership. Constitution covering SPAG has been drawn up after numerous meetings and has been ratified. President of SPAG is a publicist with one of the major companies, while an executive council has been set up including two persons from each home office. Executive board of five takes in the president and other tentatively-chosen officials.

In voting to affiliate with the West Coast group, the executive council of the SPAG held a meeting with George E. Biedle, attorney for SPG, in New York during the past week. Biedle presented a draft

H'wood Hot for 'Ears'

Hollywood, May 21. Pat Barrett, 'Uncle Ezra' of radio, is slated for three pictures at Paramount and is negotiating for a one-film deal at Republic.

Currently in 'Comin' Round the Mountain,' at Paramount, Barrett has been signed for two more on the same lot. Republic wants him for 'Friendly Neighbors,' a Warner Bros. and Riverty feature.

Columbus First To Regulate Slot Pix and Televisish

Columbus, May 21.

A new city ordinance regulating exhibition gives the municipality jurisdiction over 'any place where motion pictures or television pictures are shown,' thus making this the first city in the country to offer protection to established theatres against competition from television or cinematograph projects. The ordinance increases the yearly fee for operators from \$1 to \$25.

Council will shortly consider an amendment to give exhibitors equal representation with the LATSE on the licensing board.

Miles' Twentieth

Hollywood, May 21.

Wallace Miles, producer of New York silent revues, was signed by Twentieth Century as a producer-director of its min-in-the-dit comedies.

Company is producing 18 mm. musical shorts for the open market under supervision of Ralph Hammerstein and Fred Wintermeyer.

EMPIRE FILMS (CAN.) TO CONVEY JUNE 1

Empire Films, Ltd., which distributes in Canada for various organizations, including among American distributors, Metro, Universal and Republic, will hold a convention around June 1 on plans for the '40-41 season. R. L. Nathanson, president of Famous Players-Lasker, is one of the powers behind the Empire exchange system.

Paul Nathanson, son of R. L. and A. W. Perry, of Empire Films, attended the Universal sales meeting in Atlantic City and are expected to also come in for the Republic regional in New York early in June.

F.P.-Canadian English

Regina, Sask., May 21.

Famous Players-Lasker messages in Canada build their annual presence in the Vancouver hotel, Vancouver, instead of Jaeger, Alberta, as originally planned, the last week in July.

STARWYCK-McCREA'S PAR PIC

Hollywood, May 21.

Paramount will co-star Barbara Stanwyck and Joel McCrea in 'City That Never Sleeps.' William Wellman will direct. Production starts in July.

Yarn is based on W. Scott Miller's saga of the auto industry, 'F.I.B. Death.' Miss Stanwyck and McCrea were last together in 'Union Pacific.'

of the proposed national SNG constitution, with the eastern Guild accepting the provisions pertaining to affiliation.

Institution of the affiliation move is required by the membership of both guilds.

SAG ENTERS CLAIM FOR JURISDICTION

Minimum \$25 Day Set for
16 mm. Pix Pending Basic
Fact—Bearers of Gifts for
Jobs Set Down—Writer
Parleys Start

LABOR BESH UP

Hollywood, May 21.

With min-in-the-dit film production already being halted by many producers as a major solution to actor unemployment, the Screen Actors Guild has stepped into the picture with a claim to jurisdiction over performers. No effort will be made to negotiate a basic agreement at the present time, but a minimum of \$25 per day has been set for actors. The tentative agreement also provides that members of SAG, American Federation of Radio Artists, Authors Equity Association, or American Guild of Variety Artists may be employed without necessity to join another branch of the Associated Actors and Artists of America.

Simultaneously, the SAG announced adoption of a resolution providing for expulsion of any actor found guilty of presenting gifts or other gratuities to an employer as an inducement to secure work. The SAG also approved an order of manager Howard R. Phillips, closing Central Casting Corp. on Sundays and closing down the switchboards at 5 p.m. weekdays. Hours formerly were 9 a.m. to 5 p.m. weekdays, and 9 a.m. to 1 p.m. Sundays.

Seven companies are now preparing to start production on min-in-the-dit films. These are Mills Novelty-Globe Productions, Paramount Corp., Cosmoline, Worthington Manufacturing Co., La Roca, Foxhollow and Park-Uman Productions. In a letter to the latter company, Kenneth Thompson, executive secretary of SAG, stated:

"Because of the fact that this work is so new, we are agreed that it would be unfair to prospective employers or prospective actors to attempt to negotiate a complete agreement covering terms and conditions of work and minimum wage scales at this time."

"We, therefore, agree that you may proceed to make what you call test productions, which if satisfactory may be later sold by you, and that you may contract with actors for such work upon such terms as you desire save and except for the limitations hereinafter set forth."

Agreed on Eligibility

"We further agree that so long as any actor you contemplate using is a member in good standing of SAG, Actors Equity Association, American Federation of Radio Artists, or American Guild of Variety Artists, he shall be considered eligible for this type of work without joining any other branch of the Associated Actors and Artists of America."

"You agree to pay actors employed by you not less than \$25 per day. You further agree that you will keep us supplied with all data as to actors used, time they worked, wages paid them, together with any other information that might be useful to us and that both the employer and the SAG shall have a foundation for the negotiation of a general contract governing this field."

Henry Hargrave, general manager of the Globe unit, which has James Hargrave for a front man, has the following to say about the effort min-in-the-dit movies will have upon the industry:

"Due to the varied type of entertainment which we plan to offer on the 16 mm. roll of the so-called min-in-the-dit films, a tremendous amount of employment will be created for performers in the many fields. I think the new film will offer a chance for many young actors who are trying to get recognition. Many of them will get a chance to

(Continued on page 21)

IATSE Gives Browne Open Check, Unlimited Authority 'to Safeguard Union's Rights'; Talks Libel Suits

Milestone's Added RKO 2

Hollywood, May 21.

Lewis Milestone closed a deal to direct two more pictures on the current season for RKO.

Currently Milestone is piloting the Ginger Rogers-Ronald Colman co-starrer, 'You Can't Be Too Careful,' on the same lot.

Capra's 3d Term As President Of Directors' Guild

Hollywood, May 21.

Screen Directors Guild gave unanimous approval to third term for Frank Capra as president although he had declined candidacy. Membership presented him with a gold trophy for usefulness and untiring efforts in its behalf. In accepting the presidency, Capra said the Guild would remain a successful organization as long as cooperation with producers was maintained.

Ernest Lubitsch named first v. p. succeeding W. S. Van Dyke and George Marshall succeeded John Cromwell as second v. p. Clarence Kavan replaced Frank Tuttle as secretary. Phil Rosen re-elected treasurer.

Board of directors for one year term are Capra, Cromwell, Kavan, Marshall, Rosen, Frank Strayer, King Vidor and William Wyler. Voted two year terms were Frank Borzage, Victor Fleming, Tay Garnett, Henry Hathaway, Lubitsch, William Wellman, Norman Taurog and George Stevens. Lifetime membership voted to Marshall Neilan.

RKO TO HAVE 48 MOST LIKELY FOR 1940-41

RKO is expected to announce 48 pictures for 1940-41 at its sales convention in New York starting next Monday (27). Although the official figure is being held for announcement at the policy, advance throughout the country have been instructed to sell 48 and have obtained several hundred 1940-41 contracts already on this basis.

George J. Schaefer, RKO pres. recently stated that the company would turn out between 45 and 52.

Brit. Director Draws Jean Starrer at U

Hollywood, May 21.

Andrew Barton, British director recently associated with Ernest Lubitsch, shocked in at Universal to direct the Gloria Jean starrer, 'A Little Bit of Heaven.'

Pictures rolls in June with Joe Pasternak producing.

Third 'Chino' Director

Hollywood, May 21.

Third choice for the directorship of RKO's western picture, 'Stage to Chino,' falls to Bart Kopp, producer.

Gilroy succeeded Edward Kidz, who is tied up with prison suit in action. Kidz took over the reins when Dave Howard, the original director, was taken to the hospital after a brief illness.

Chicago, May 21.

Fighting mad for some reason not yet brought into the open, the general executive board of the International Alliance of Theatrical Stage Employees and the Motion Picture Machine Operators of the United States and Canada at a secret meeting quietly held in the Bismarck hotel here gave its president, George E. Browne, a blank check for unlimited funds and wide discretionary powers to take whatever legal measures he sees fit to safeguard the union's representatives and their rights.

Blagghards and projectionists are clamorously and will not consent, but persons close to both organizations say it is obvious the IATSE acted as a result of the Willie Reed matter and subsequent adverse publicity given the theatrical unions through Westbrook Paget's syndicated columns.

Here is a copy of the resolution introduced and unanimously adopted by the general executive board:

"Whereas the interests of the International Alliance may at times be involved in judicial or quasi-judicial, administrative, executive and legislative actions, suits or investigations, civil or criminal, initiated by or against the Alliance or its officers, representatives, agents, employees or affiliates, and

"Whereas the rights, properties and functions of the Alliance may be affected or prejudiced by such proceedings, now therefore it is unanimously resolved and enacted by the General Executive Board of the International Alliance of Theatrical Stage Employees and the Motion Picture Machine Operators of the United States and Canada:

MAY COMPROMISE U'S SAM PHILLIPS' OUSTER

A compromise may be worked out by the arbitrators for both sides in the dispute surrounding the dismissal by Universal April 18 of its head booker, Sam Phillips, who had been with the company 22 years. Understood the arbitrators are awaiting the return to New York next Monday (27) of William A. Seely, general sales manager of U, for discussion in that direction.

They are, meantime, weighing the facts as presented by both sides at a private hearing held Thursday (24) in New York. Edward C. Sullivan, of C'Brien, O'Brien & Sullivan, and Eddie Grainger, general manager of the M. A. Sack circuit of theatres, are the arbitrators selected by U.

The American Federation of Office Employees, of which Phillips is a member and which has a contract with U covering him as well as exchange employee groups, also chose two arbitrators. They attended the Thursday (24) meeting and are Charles Voss, general secretary for the American Federation of Labor, and Floyd Sticker, president of the Municipal Transport Workers of the AFL.

Request for arbitration of the Phillips ouster was made by the union in view of its contract with U covering him and exchange employees, including bookers. Pending a decision in the matter or a compromise, the evidence presented before the four arbitrators cannot be divulged.

Going ahead with plans to remove bookers, editors and actors in Chicago, where headway is reported, the Office Workers Union during the past week was notified by Washington as the bargaining agent for negotiations with Warner Bros. employees in the company's N. Y. warehouse on 54th street.

The union opened negotiations with WB yesterday (20) on the exchange employee and today (21) will meet with Warner representatives concerning a contract to cover their Albany exchange.

Acquainting Court With Films' Rise Behind Gov't's Policy Shift in Calling Execs to Testify in Anti-Trust Action

The Department of Justice, shifting its policy of presentation, will call on executives of the film industry to testify at the trial of the action starting about June 18, after the opening speeches are made in the court. The Government, by this procedure, expects to let the court get an idea of the birth and growth of the industry from the lips of its creators.

Executive subpoenaed to appear to date are Ned F. Agnew, Barney Balaban, Nathan J. Blumberg, Hal E. Delmont, Harry Gold, J. R. Granger, Sidney H. Kent, William K. Lippert, William F. Phillips, William F. Rodgers, Jack Schaeffer, Gradwell Best, David G. Selznick, Maurice Silverman, Sigmund Steinberg, William A. Siedel, William Sussman, Truman Talley, Herman Webber and Adolph Zukor, and yesterday Samuel Goldwyn, Jack and Harry Cohn, and Abe Margash were added.

Additions will be made to this list from time to time as the action calls for it. It is probable that at least as many more major executives will be called in addition to the number already subpoenaed.

The Government also has been subpoenaing its own witnesses who include five from California, T. L. Tully, Richard Rowland, I. E. Chadwick, William W. Hoffheimer and J. J. Goldburg. From Massachusetts will come one, Charles Moran, of Boston.

In Pennsylvania, the first session of the Government attack, now listed 24 witnesses. There are David Barrist of Philadelphia; H. A. Baturin of the Alpine theatre, Pottersville, Pa.; Allen M. Benn, Belmont theatre, Philadelphia; Joseph Conway, Egyptian, Bala-Cynwyd, Pa.; William Davis, Triangle, Pittsburgh; Herbert Elliott, Penn Book, Hazlet, Pa.; and Ben Ferte, New Colonial, Philadelphia; Albert Fisher, Kew-Forest, Glenside, Pa.; Harry Fried, Suburban, Ardmore, Pa.; Henry Friedman, Lansdowne theatre, Lansdowne, Pa.; Thomas A. Gilbert, New Oakland theatre, Pittsburgh; William Goldman, George T. Graves, Carmichael, Philadelphia; Robert H. Heiser, Point Breeze, Philadelphia; Melvin Koff, Derby, in Derby, Pa.; Chris Lamberson, Capital, Farrell, Pa.; Thomas Lazarick, New Bix, David Milgram, George Naudascher, Camden, all Philly; M. E. Dorfman, Firebrook, Berwyn; Harry Perlman, West Allegheny theatre; Milton Rogatch, Erie; Henry Rudinsky, New Broadway; Sam Somerville, Palm, William Spiegel, New Lynn; Charles Segall, all Philadelphia; Harry Smith, All-Luna, Sharon, Pa.; Columbus Stumper, Rivoli; Samuel Waldman, Garfield, both Philly; Al Weiss, Joseph and William Weiss, McKeesport, Pa.; Joseph Woodcock, County, Doylestown, Pa.; U. F. Wolfand, Philadelphia; I. Yaffe, Union, and David Shapiro, Adelphi, Philly.

Nick Schenck Expertly Put D. J. on the Spot

For the first time since the start of the examinations before trial of major film company executives by the Department of Justice, the latter was placed squarely on the spot by a witness, and in a great many spots made to look ridiculous. The witness was the examination of Nicholas M. Schenck, president of Loew's, Inc., on Thursday (18) by special assistant to the attorney general, John F. Chagert.

Chagert attempted to conduct his questioning in a straight, unadorned line, but the genial Loew's president made the examination a teaching lesson in the fundamentals of the film business. Time and time again Chagert would ask to elicit an answer from Schenck, only to have the latter explain his point by asking Chagert a question, and demanding to know if the Government attorney did not agree with him, and if he, in Schenck's place, would not have done the same thing. So cleverly did Schenck phrase his explanations that Chagert would be forced in each session to sheepishly grin, making Mr. Schenck a permanent feature of laughter at the trial.

Schenck contributed many important items to the defense, perhaps the most important of which was a statement which could be deemed a model for opposing the overly bill. The witness was asked about black-

Theme Song?

Philadelphia, May 21. Dave Weinstein, assistant manager of the Studio three, has crafted a new tune. It's called "Heaven."

Mpls. Still Taboo Further Bldg. Of New Pix Theatres

Turning down the application of E. L. Griffith to build a \$200,000 neighborhood theatre on his property, the city council again is on record to prohibit further theatre construction here. For more than two years Griffith has been fighting unsuccessfully to and out of the courts in an effort to obtain a permit. A half dozen or more other prospective theatre builders also are ready to jump in as soon as the council lets down the bars. If ever, the aldermen take the stand that the city already is considerably over-saturated.

WB Opens to A. C. Suburban Atlantic City, May 21. Warner Bros. new streamlined Buick as suburban Pleasantville opened Thursday (18) with elaborate ceremonies. Joseph M. Strubel, general manager of WB, present, as well as Herbert L. Cuperus, some manager in charge of WB's business. Howard Baker, manager of new theatre, seating 1,000.

Albany's Drive-In Albany, N. Y., May 21. Albany area's first Auto-Vision theatre is scheduled to open Wednesday (22) on the Albany-New York Road at East Greenbush, a few miles on the other side of the Hudson River, from this city. Claimed to be an improvement over the usual drive-in, because it is equipped with individual sound-speakers to be located into each car. Each speaker has own volume control, and patrons can see the pictures with windows of their cars closed.

College Home Prems College Station, Tex., May 21. The Campus, built here by Lee Threl, Sam Hyman and V. A. Walker, formally opened here last week. Walker is manager; capacity 425.

The students of Texas A&M here still continue their fight in their demands that there be no clearance on the part of the three houses in Bryan, Texas, five miles from here, over the College theatre. The college have even refused to go to the town of Bryan until their demands are met.

Work is scheduled to start at Cooper, Tex., June 1 on a new house for Henry Sparks, owner of the Grand and Delta here, to read TBR. When the new house opens Sparks will close the Delta, but continue the Grand.

Interstate's Addition

Dallas, May 21. Interstate Circuit has bought a large tract of land on outskirts of town here for probable eventual erection of new suburban house. Present plans call first for large shopping center and parking lot.

In recent months several country new suburban houses, including Indies, have been built on large tracts of town.

RKO SIGNS COSTELLO

Don Costello has been signed by RKO for one picture and ordered to report to the Coast this week. He has been in several radio network shows in N. Y. during the last eight months. Previous to coming east, the New York former legit player played in Metro's "This Man's" pictures.

'HEAVEN' IN ONE PART

WB Soundtracking in Hollywood and Mayke Abe R. T.

Devising to release "All This and Heaven, Too" as one picture, rather than split it into two, Warner Bros. will make it as the Coast starting June 4 and may do likewise in New York. Question of whether it will also be twice-daily in other keys is now being studied by sales manager Grid Davis.

New York plans are not complete as yet, including whether "Heaven" will be shown at an advance again twice daily or played into the Radio City Music Hall on regular first run. Negotiations with the Hall were instituted several weeks but held up pending readiness discussion.

Picture may go into the Center, N. Y., if it is ready, but if not deal is tentatively made on that issue, then it might be Warner's own Hollywood, now the Star 81, for high run of "Romeo and Juliet." The Hollywood engagement at the Carthy Circle will be twice daily at a \$1 top.

Following decision to release "Heaven" in one part, the footage has been reduced from 26,000 to between 15,000 and 16,000 for a running time of two and a half hours.

Rachel Field, author of the novel, was called in to assist in the editing.

WAR BOFFS PIX STOCKS; NEW LOWS

Continued retreat of Allied forces forced another sharp break in the New York stock market yesterday (Tuesday), with previous losses wiped out and with the greatest volume of any day since last Sept. 15. Picture shares, already at low levels before the bear market got under steam last May 12, were slashed to unbelievably cheap prices, as preferred issues bore the brunt of the break. Virtually every film stock hit new low territory for 1940.

Loew's common, well-loved of investment clubs, crashed more than four points to 29 1/2, but came back to 32 for a net loss of 2 1/2 before the close. Preferred was off the same. Twentieth-Fox common, which paid \$1 in cash dividends last year, sold down to the ridiculously low price of \$1. Preferred slid off to 14 1/2, decline of 3 1/2. Greatest loss suffered by a picture stock was Universal preferred, which plunged seven points to 40. (Compares with high of 113 made this year.) Warner Bros. preferred also dropped to a new low of \$2, decline of four points. Common was unchanged at 2 1/2. Radio Corp. preferred was off the same amount.

Paramount common slipped to a new low at 4 1/2, but was only down \$10 on the day as more than 15,000 shares changed hands. Par first preferred slid off 1 1/2. Columbia Pictures preferred was unchanged at 15, while the common dipped 2 1/2 to 34. Both CBS shares were about a point lower, winding up the day each at 16 1/2. Technicolor was off 3 1/2 at 4 1/2. Eastman Kodak common fell the steepest blue chip share, closing at 12 1/2, an abrupt drop of 10 1/2 points.

RKO SET TO BATTLE \$2,025,214 FEE CLAIM

RKO's application to the N. Y. federal court for permission to hire counsel to protect its position in the \$2,025,214 application for allowance, was granted in a peculiar manner yesterday (Thurs.) by Judge William Brady in N. Y. federal court. The judge declared that since the new company was out of the court's jurisdiction, no need for the request had to be made.

However, the judge declared RKO's application to pay its counsel whatever it deemed fit, without seeking court approval of the fee, was deemed premature, who refused to pass on it.

Brent Gets His Letter

Hollywood, May 21. George Brent gets the note head to the Betty Davis matter. The letter, which goes to him this week at Warner's. WB has been trying to get Maurice Evans for the part. William Wyler directs.

Previous Attempts to End Duelling Recalled as Gallup Poll Starts

Well Wuth It

Hollywood, May 21. Speed on the trigger earned bonuses of \$2,000, all in \$200 bills, for 28 members of Cecil B. DeMille's production crew who helped bring in "North West Mounted Police" nine days ahead of schedule. They saved Paramount \$125,000.

Lawrence Fox's General Films' Feature Plans

Release is being talked by General Films, financing youth headed by Lawrence Fox, Jr., for three films. It was stories of two of them and is negotiating for the third. When distribution is worked out, company will hire a producer to make the films.

Stories already in the drawer are "The Man Who Lost Himself" by H. De Vere Stacpoole, and "Ask Me Questions" by Helen Duff. "Man" was to be made for IFC in England by Walter Piller for RKO release with Loretta Young in the lead. "Ask Me Questions" was to be made by the same producer and star.

Since that time Lee Garret has been in negotiations with the company to an arrangement to produce a film with IFC financing and distribute it via the former Garret holds for two more pictures for RKO. Garret has made one picture on a three-picture deal and it was reported last week he would make no more.

"Question" is a mystery-thriller to be made from the novel of the same name. Some consideration was given to producing the picture in the east, but was given short shrift when Fox, who has served in various financial capacities with film companies for many years, decided additional potential cost of Coast production would be 20%.

Inasmuch as it has been limiting its financing to low-budget pictures because of the losses of European markets, IFC has been concentrating on production of commercial films in the past six months as a way for its exit. Most of these have been cartoons, as the pen-and-inkers are easier to get low theatres and IFC owns a substantial interest in Cartoon Film, Ltd. It just completed a film for Fort Motors.

W. P. Farnsworth Resigns For Private Law Practice

William P. Farnsworth, special assistant to the U. S. attorney general who, since November, has been the head of the N. Y. office of the Department of Justice's prosecution staff of the anti-trust suit against the major film companies, has resigned effective June 1.

Farnsworth, a doctrinal attorney, was appointed by Thomas Arnold because of his knowledge of the film business, and of his previous connections with the NRA side for motion pictures. The attorney was scheduled to handle the presentation of evidence of the New York, northern New Jersey and Connecticut territories, which will in all probability now be shifted to Seymour Erlanger. Farnsworth returns to his legal practice.

The reasons for his resignation are that the trial of the action was delayed in getting under way many months past previous estimates, and the attorney found his two practices suffering considerably due to the necessity of his spending the majority of his time working on the suit.

SCOTT FOR FIDGON

Hollywood, May 21. Universal drafted Randolph Scott to take the place of Walter Pidgeon in "When the Daltons Rode," slated to roll tomorrow (Wed.). Pidgeon is ill, and the studio decided against holding up the production, which George Marshall directs.

Although Dr. George Gallup's announcement last week that his Institute of Public Opinion will make a nationwide survey to determine American feeling on double features has been greeted with gladiators by the industry, general assumption is that very little practical value can be attached to it.

Experience, since the rise of duels, has always been that everyone says he's against them but exhibitors continue to play them and customers continue to patronize them. In fact, not only do the customers patronize them, but they have demonstrated at the box that they won't do without them, it is said. Houses in double bill territory which have switched to single bills have consistently discovered they were receiving some margin than business owners, for present have always continued.

Prime example of such an experiment was at Loew's Ziegfeld theatre in New York. It tried double bills from February to June of last year under circumstances that were close to ideal and yet had to return to double bills in face of declining grosses. House is not only in an excellent grade residential neighborhood central N. Y. neighborhood, but was given top pictures day-and-date with their booking at the second-run State on Broadway.

Among the films which played the house at the time were "Tupper Takes a Trip," "Miss Delight," "Made For Each Other," "Stage Coach," "Simultaneous," "The Fuller," "Midnight," "Hardy's," "Breakaway," "Sensation," "Lucky Night," "East Side of Heaven" and "Man of Conquest." Single bill the top lap as compared with the State's bill including stage shows.

Although there are believed to be few other situations in which abolition of duels has been tried, for single-bills, experience in all of them has been the same. Public desires the house in favor of the twin-bill arrangement.

When every theatre owner in America simultaneously ditched duels and promised to stick by his resolution the practice may be ended, but not before, is the opinion of industry leaders. And that appears to be the millionaires.

AETNA, INDIE, TOOK 17 MOS. FOR TRUST TRIAL

Boston, May 21. After 17 months of testimony and arguments, the case of Aetna Aetna Co. versus eight major film producing and distributing companies ended Saturday (18). Philip A. Hendrick, master of the hearings, will now have to digest 12,000 pages of evidence before rendering a decision.

Aetna operates a theatre in Portsmouth, N. H., two in Nashua, N. H., one in Poughkeepsie, N. Y., one in Newburgh, N. Y., one in Elizabeth, N. J., and one in Providence. Violation of the Sherman anti-trust law is alleged, Aetna claiming that the film circuits failed to provide product. Paramount, Metro, Warner, RKO, Columbia, Universal, United Artists and 20th-Fox were defendants.

During the 113 days of hearings, 81 witnesses were called, 4,435 exhibits entered, and depositions before the trial filled 3,000 pages.

David Wahrman and George E. Ryan were attorneys for the indie plaintiffs, and for the defendants Edward F. McCann, Jacob J. Kaplan, John V. Spalding and Frank W. Crozier. The case opened Dec. 21, 1938.

Technicolor Meeting To Elect Its Officers

Annual meeting of Technicolor, Inc., stockholders, Monday (20) unanimously re-elected Alfred Fritche, James H. Hayes, A. W. Hawkes and H. K. McCann as directors for period of three years each.

Initial session of new board of directors will be held this (Monday) afternoon when the general state of affairs comes up for discussion. Herbert T. Kalman, president, George F. Lawton, vice-president and secretary, and L. D. Clark, treasurer, are expected to be announced.

Metro's Stance on Exhibs' Goodwill; No Upping In % or Top Bracket Pix

Unlike other distributors which are increasing the size of their upper brackets on film for 1940-41, and increasing the percentage scales, Metro is understood to be planning to sell its new season's product on the same basis as it did this year (1939-40). This is despite the fact that industry demands for greater returns and the bulky spot sale of the foreign market which now is no easier to forecast than tomorrow's baseball scores.

While the programs of other companies are varying in comparison with this season (1939-40), Metro has decided to offer the same number of pictures as it did last year, a minimum of 44 and a maximum of 55. In this respect, again, it stands out from its competitors.

Custom developments have not furnished crop up, the Metro outfit will offer four pictures in its top bracket at 48%. Smaller percentages are trying to get higher percentages for some of its features and are also placing more than four in the top-most price group.

Starting with the first at the spot, Metro is planning to sell 10 in the first lowest price allocation at 25%; 10 in the third group at 30%; and 12 at 35%, with the balance at a lower percentage or flat.

As an alternate deal, Metro is expected to offer its accounts the sliding-scale percentage plan under which a set percentage is figured in accordance with a stipulated gross figure, with the percentage to move either up or down in accordance with the business done.

Within Metro sales outlines, the tendency of the company to pursue the policies is, regardless of war and disturbed conditions, pointed up as being in line with its policy of maintaining the best possible goodwill. It is believed that nothing short of the most disastrous developments in the market will sway Metro from its present plans. Selling mostly on percentage and offering the sliding-scale (up and down) contract, the amount is placed in the position of buying on a basis that will put the earning power of the various pictures strictly up to these pictures.

Company has announced that it will spend \$2,750,000 in advertising during the 1940-41 season, an increase of a quarter-million over last year. It will go mostly into dollar and budget will be set up in each exchange zone.

A total of 18 shorts in 84 reels and 104 hours of News of the Day round out the program.

Four Regions
Instead of a national convention as last spring in Chicago, Metro's 1940 year turned to four regions, first of which was held in San Francisco, second in Chicago, third in New York Friday-Saturday (17-18) and last meeting in Washington Monday and yesterday (20-21). William F. Rodgers, general sales manager, presiding at all in consultation with division managers Tom Connors and Ed Hammond, stated he would probably remain in Washington for weekly bill hearings.

Principal reason Metro held a national sales conference last year and earlier than this was because numerous term deals with important exhibitors expired last year. New term contracts having been negotiated, Rodgers saw no reason for another national meeting, deciding on the four regional instead.

Instead of stepping up the new season's start, as have others, with 20th-Fox last year beginning its releasing schedule on Aug. 1, Metro will adhere to the Sept. 1 date for the time. Releasing year with the company has always run Sept. 1 to Aug. 31 and that, the sales force has been informed, will not be changed. There may be pre-release, however, as occurs frequently with all companies, although national availability dates will stay the same. "Tempe," one of the top-bracket productions and starring Norma Shearer, is tentatively set at the leadoff 1940-41 feature.

Hazel Flynn to Coast?

Hazel Flynn, who recently resigned as director of publicity at the Radio City, N. Y., may go to the Coast to work.

Following Miss Flynn's resignation at the Radio City, the department she left is handling all publicity with Fred Lynch acting head.

FIZDALE'S \$650 WKLY. FOR PAR PUBLICITY

Contract made by Paramount with Tom Fizdale agency to handle publicity and exploitation on its pictures from the outside, in augmentation of the work done by Par's own publicity department, is reported for six months. The Fizdale organization will get a reported \$650 a week for its work on Par pictures, to continue in association with Bob Griffith's own departments, east and west.

Fizdale was originally retained by Paramount a few months ago to handle publicity and exploitation on "Dr. Cyclops," one of Par's "W" films.

Alice Faye's Illness, Acting Mayor's Error, Mar 'Lil Russell' Preem

Pittsburgh, May 21.
Two-day celebration here last week in connection with world premiere of "Lillian Russell" (1939) was pretty much a model of perfect planning, with only a few minor hitches arising to cause a bit of confusion. Plans for the Hollywood star to appear in the city were a tough one for Alice Faye, as she was indisposed in her hotel room most of the day and didn't show up at City Hall when she was to have been made Honorary Mayor of the city for a day. In absence of Mayor Cornelius Smiddy, City Solicitor Alva Stewart served as local government head and when actress from airport arrived at the big platform in front of courthouse, Stewart wasn't aware that Miss Faye was missing and delivered his prepared speech. Edward Arnold saved the day when he stepped in and made necessary apologies for actress, at same time accepting honor in her behalf.

Miss Faye was okay Wednesday (18), however, for the "Lillian Russell Day" (by Mayor's official proclamation) parade, with city turning out a crowd of 200,000, biggest since first Armistice Day parade here, to watch the visiting celebration drive through the downtown streets. Night before, Miss Faye and Arnold were guests of honor at \$100-a-plate charity dinner, supervised by Jacques Souffley and a duplicate of a spread he catered for Diamond Jim Brady at his (Brady's) old Cafe de Beaux Arts in New York for Miss Russell. It was probably the city's outstanding publicity stunt, even though few tickets were actually peddled, most of the diners (including newspapers and company officials) working in on the off.

Added Shows
Prem had been scheduled for only one theatre, the Alvin, but early sell-out brought another Harris house, the Senator, into service for a dual opening. Five-station local hook-up providing screening had to get along without Miss Faye and Arnold since they were delayed half an hour by heavy downpour, although the midnight preview they were on a 10-minute show with Tommy Rugg and Betty Lou over all Pittsburgh stations.

Ale sickness of Miss Faye upon arrival Tuesday (14) wasn't all, she discovered upon leaving plane that she was minus a \$7,000 ring, but bureau found it between here and New York and flew it back right before charity dinner. That put her back in good spirits again and she accompanied newspaper gang to a midnight brewery party which lasted until dawn.

Daily, mag and trade paper representatives came on from Boston, New York, Philadelphia, Washington, Cleveland, Dayton, Detroit, Baltimore and Richmond. Twenty-five tops included Herman Welles, Charles McCarthy, Bill Sumner and Edgar Mann, with Rodney Bush, Christy Wilbert and Marie Stale representing publicity departments. Jack Mulcahy, of studio staff, accompanied Miss Faye and Arnold east, along with John H. Harris, head of circuit sponsoring prem, who has been vacationing on Coast for a week.

Lot of credit for build-up, arrangements and handling of visitors goes to George Tyson, advertising head of Harris outfit here. Estimated cost of hook-up and prem was around \$25,000, with local theatre operators going for around \$4,000 of that.

Hal Roach Ties Up Pa. R.R. for Film

In a series of meetings with Pennsylvania Railroad executives prior to his departure from New York last week, Hal Roach made an extensive tour for his forthcoming "Broadway Limited." Title is that of Pennsy's crack New York-Chicago express and the railroad will not only provide trains for much of the shooting, but will cooperate in publicity.

Roach attended the United Artists convention in New York and Chicago, departing for the Coast last weekend from the latter city.

PIX NIX RADIO'S SHORTWAVE COMM'L

Major picture companies as far have rejected the commercial sponsorship of shortwave radio programs, offered several weeks ago by National Broadcasting Co. Proposals submitted to the NBS office were for all eight member companies to combine and buy this shortwave time, presently being given gratis by both NBC and Columbia Broadcasting System, aside from incidental expense. Presently the foreign publicity of the major companies submit a weekly summary of stars and productions, with the NBS office shipping it into various forms for short-wave airing.

What aroused foreign department publicity chiefs, when the NBC proposal for selling time was submitted at a NBS office gathering, was the pointed implication that it would be better to buy the time and retain supervision of material than to trust to luck and allow some commentator, such as Jimmie Fidler, to do it.

Anna Neagle to Chicago For Mutual's Gala Hour, Temp With RKO Film

Chicago, May 21.
Mutual-WGN "Fifth Row Center" show, a regular 10-minute weekly program, will be expanded to a full hour for the show of May 21 when a radio adaptation of "Tess" will be given. This will be the radio premiere of the show, and will tie in with the opening of the RKO picture of same name at the Jones, Linick & Schaefer Oriental in the Loop on the same day.

Anna Neagle, star in the picture, and Burgess Meredith are coming in to do the leads.

TOWN' GETTING MAJOR DUAL PREEM IN HUB

Boston, May 21.
Most extensive publicity and exploitation campaign since far in this territory has been set by United Artists for the preview of Bill Leary's "Our Town" here tomorrow (Thursday) will open simultaneously in two local houses, the State and Orpheum, and will be attended by the governors and their staffs of the six New England states, by the producer, author, stars and UA and Loew's execs.

In addition to the preview, 12 boys and 12 girls selected in newspaper competition as bearing the shortest resemblance to their respective women to the principal characters, Emily and George, will be on hand. Also a carload of citizens from Peterborough, N. H., the town around which Thornton Wilder wrote his story.

Heavy publicity campaign is being supplemented with a big ad budget. Aiding UA in arranging the prem is the Northeast Council, New England promotion organization. Boston Board of Trade and public officials of Boston and Manchester.

Among scheduled events tomorrow are a dance by Guy Leverett Ballantyne, of Manchester, in the main dining room of the Ritz-Carlton hotel, which will be aired by Mutual; reception by Ballantyne at the State House; and a cocktail party at the Ritz joined by Gov. Francis B. Murphy, of New Hampshire.

Alexander & Co. Renew Republic Pitt Franchise; Theatres-Exchanges

Pittsburgh, May 21.
Renewal of Republic franchise in this territory for next five years has just been consummated with local group operating as Republic Pictures Corp. of Pittsburgh. Deal was signed here last week by James Alexander, manager; Sam Forester and George W. Culbert, of the local outfit, and Herbert J. Yates and James R. Grainger, representing the studio.

Jack Judd opening a Theatre Poster Service here, former local manager of RKO announced. Paper companies will be served on a rental basis and new company will serve as sales representative here for American Theatrical Values outfit. Len Wayne, Film Row veteran lining up with Judd.

E. J. Golden, out of theatre business several years, is returning to exhibit field shortly at New McClure on northside House, formerly leased by Morris Bros., being renovated and will be open in a week or so. Golden will continue as sales representative for Dornum Theatres and will probably be joined in theatre operation by his son, Milton Golden, assistant manager at WB's Regent.

Milton Brandy, son of Dave Brandy, former conductor of Stanley Theatre with, resigned at Columbia exchange and has joined Advertising Accessories outfit here. Another to go with RKO now setup in Rensselaire Finberg, one-time Pittsburgh Film Board secretary.

Brother J. B. Knies building a new house in Braddock, Pa., George Elms has joined Par's 10% club and goes to Hollywood with branch manager Dave Kimmelman for the annual sales meet. Phil Doyle, retired business agent for IATSE Local 2 and named delegate to Louisville convention. Two theatres in this district—Columbia in Wheeling, W. Va., and Latham in Oil City, Pa.—placed on the market. Ken Hurl will head Harris Amos publicity department for summer, while George Tyson is in Atlantic City.

Rebald in Hendersonville, N. C. Spartanburg, S. C., May 21.
North Carolina Theatre, Inc., will rebuild Hendersonville house rated in \$20,000 five a few days after \$1,000 modernization program was completed. H. E. Buchanan, city manager, and H. F. Kinney, general manager, now making plans. Cinema has one other theatre left in recent city, the State, managed by Fred Roth, which has taken over major bookings of burned house. Rex, located same site, burned in 1932.

Construction Wilky-Kinney's fourth local house expected to begin by fall.

Man River, N. J., a theatre being built by West Point Mfg. Co. for employees, nearing completion.

Fred Best, Capitol, started proxy March (14) Theatre Club, succeeding Harold Harris, RKO.

Charles Amos, Co. modernized and opened new Marshall, N. C. house.

Park, Geneva, N. Y., Reopens
Buffalo, May 21.

Loch DePelle has reopened the Park, Geneva.

The Burg, new Trumbullburg 220-seater, opened under management of John F. and James A. Ryan.

The Gen. Brackin, operated by the American Legion, closed for the summer.

Harry Reimers becomes RKO special representative replacing Hal Gray who goes to Dallas, Oklahoma and New Orleans.

Martina Cornell relinquished the Star, Middleport, to former owner Tom American.

None All Set in Albany
Albany, N. Y., May 21.

Monogram, now located in the former Grand National exchange, held open house Monday (20). Prior to shift to present quarters Monogram had only desk room three franchise-holder Harry Bertram, of Buffalo, opened a local office last summer. This was with Theatre Display, recently amalgamated with Advertising Accessories (National Screen Co. subsidiary) and moved to latter headquarters on first floor of Paramount exchange.

Nathan Schiffman is resident manager and Michael Pomeroy books for Monogram. Both came to Albany from Buffalo, where film shipments are made for Albany as well as Buffalo districts.

Youngstown's 24 to G. I.
Lima, N. Y., May 21.

W. H. Youngman, Grand Island, N.Y., bought the Empire, 400-seater, on which he has had the lease for five years. Purchase was made from the estate of the late Senator W. H. Thompson, and now makes Youngman sole lease holder for two theatre enterprises in G. I., he having acquired the bonds outstanding against the island three years ago. Empire will remain closed for the time being.

Wallace Johnson, whose Plaza in Friend, Ark., burned two weeks ago, is still considered as to whether his best move will be to rebuild on the old site or remodel some existing

structure in Friend. Meanwhile the Friend, Ark., opened to play off the Friend film contracts.

Frank E. Hollingsworth's Plaza, closed in February in Beehive, Neb., when he filed suit for \$25,000 against Fox Midwest and major distributors for closing up on the product, has been reopened to play off available films.

RKO's Promotions
Following resignation of J. F. Meyers as RKO branch manager at Toledo, RKO has set several promotions.

Mark Flotial, former manager at Montreal, now works Meyers over the more important Toronto exchange, while Station P. Taylor moves up from the Calgary office to succeed Flotial in Montreal.

Joseph McThorn, salesman at Calgary, assumes charge of that office, while Paul Carroll, banker, moves up to a salesman's post. Robert Radio becomes leader in the Winnipeg branch and Hugh Conway, banker there, becomes a salesman in Toronto.

LA Respects Memphis Palace
Memphis, May 21.

Loew's picked "Lillian Russell" (1939) as opener for local Palace, shuttered the past month following expiration of two-year lease to M. A. Lightman.

Gate set to May 21, with Ernie Harting of New York office coming down to help search home for more managers. Robert Kline, Loew manager in New York metropolitan area next 10 years, arrived Saturday to take charge, accompanied by W. A. Finney, another division manager out of Atlanta.

Spot has been completely redecorated, etc.

Gleason Takes Over FID
Philadelphia, May 21.

Herb Gleason, former exchange manager for Grand National, has taken over Preferred Pictures exchange and will handle all future product of Fine Arts Films. Harvey Blair, ex-head of Preferred, has opened a new distribution in the known as Art Pictures, Inc.

Clark Film Distributors last week signed a new contract with the Film Exchange Employees Union, Local B-7.

Showmen's Club has just signed a lease for new quarters (right in the heart of Filmrow).

Lois Kline, secretary of the IATSE local, guest of honor at the Film Employees Union's annual dance at the Broadwood on Thurs. (18).

Cole Theatre's Fire
Yankton, S. D., May 21.

Fire last week destroyed the Grand here with an estimated loss at several thousand dollars. Battery, lobby and existing scenery completely destroyed. Building and equipment were insured. Second major fire to building within seven years.

One of the Cole theatres.

Valley Drive-In
Youngstown, O., May 21.

Youngstown district's first drive-in, the Gordon, opened May 18. 18 tiers holding approximately 200 cars. Gordon W. Vail, proprietor, a local promoter several years.

Sony, Salt Lake, Fired
Salt Lake City, May 21.

Fire, caused heavy, undiminished damage to A. B. Furey's Sony here Thursday night (18), gutting the front of the theatre and completely destroying the stage.

Shown, an independent in a Paramount stronghold, will be rebuilt.

N. Y. Film Bookers Grow 40
The Motion Picture Bookers Club of New York grows close to \$4,000 on its first dinner-dance, held Sunday night (18) on the Actor Roof, N. Y. Harold Kline, of the Cuckoo circuit, is president.

Proceeds of dues and efforts for aid of members in the bookers field under policies similar to that which governs the Motion Picture Association (bookers).

Alta Annweiler, of Metro's N. Y. exchange, listed as M. A.

Hugh Conway Promoted
Winnipeg, May 21.

Hugh Conway (RKO) being moved and upped to Toronto; Dexter Radin being upped to St. Catharines spot at Winnipeg office.

Bob Berris (WB) getting married. Sam Swartz, former indie booker, joining UA in Toronto.

Halmer Jansberg, pioneer local showman, in hospital for two or three weeks.

Oakland House Sold
Oakland, May 21.

The Y & D Theatre, Oakland, owned by the late Myron A. Walsh, sold recently to M. E. Sperry. House, undergoing remodeling and re-equipping, will be managed under same policy.

War Puts Mpls. Further In Hole, But Dunne-Grant Strong \$8,500

Minneapolis, May 21.—A twice-over film lineup is helping along the retreat of grosses—a fact which has been in progress for a month or longer. The line personnel attending any considerable number of theaters in Minneapolis, Minn., at this time. Otherwise it's pretty much a blank page.

The war situation and consequent lack of grain markets near-outlets are getting blamed, along with generally adverse business conditions, for the n.g. b.o. behavior. The sharp drop in grain prices hits pack-ages and sentiment particularly hard here.

Estimates for This Week
Ador (Par-Singer) (1,800; 25-26)—"One Beautiful" (M-G) and "Young Agent" (U), dual first runs, split with French Tens (Par) and "Nine Lives" (Col.). Fair \$1,500 indicated. Last week, "Western Star" (Par) and "Compassionate Christian" (RKO), dual first runs, split with "One Beautiful" (M-G) and "Young Agent" (U), also dual first runs, fair \$1,500.

Century (Par-Singer) (1,800; 25-26)—"Black Beauty" (Par). Moved here after a pretty good first week at State. Looks like mild \$1,500. Last week, "It's Date" (U), light \$1,000, after pretty good \$1,200 first week at State.

Reggie (Gilmart) (1,800; 25-26)—"Sage Hen" (U). Laurel-Bardie comedy well spotted here and climbing toward profitable \$1,000. Last week, "Dark House" (U) (retained), \$800, okay.

Gopher (Par-Singer) (1,800; 25-26)—"Blue Bird" (20th). Newspaper ads carry Shirley Temple's name in small type as "among those present." Indicative of her boxoffice tumble. Mild \$1,000 for six days. Last week, "Gladys' Case" (M-G), \$1,000, fair.

Orpheum (Par-Singer) (1,800; 25-26)—"Typhoon" (Par). Many hard words from the critics for this one, and the going is pretty tough. Light \$1,000 on six days. Last week, "Terror" (RKO), \$1,000, pretty good.

State (Par-Singer) (1,800; 25-26)—"Favorite Wife" (RKO). Dunne-Grant comedy means headliners, and customers apparently like the film itself very much. Should continue to hold and finish to strong \$1,500. Last week, "Black Beauty" (Par), \$1,000, pretty good.

Uptown (Par) (1,100; 25-26)—"Virginia City" (WB) split with "Girl Friday" (Col.). First neighborhood showings. Pointed for good \$1,200. Last week, "Pioneer" (RKO) split with "Virginia City" (WB), good \$1,000.

West (Gilmart) (1,100; 25-26)—"It's Date" (U). Moved here from Century and State, where it fared fairly moderately well. Other Dunne-Grant comedies, however, have done well here and maybe this one will actually come to life. Probably a struggle to top past \$1,000. Last week, "The Lincoln" (RKO) (M-G), same, light.

BENNY, \$12,000, N.G. IN WASH.

Washington, May 21.—Overall take is very old again. Only one spot is really brutal, however, and similarly only one is really in the red. Others are just middling along a fraction below average.

Benny has a handsome lead with "Typhoon" and "Red Herring". Capitol, with "I Was an Adventurer" and "Terror", and Palace, with "Black Beauty", are battling for second honors. They can be called such. Keith's is getting average but with "I Had My Way".

Estimates for This Week
Capitol (Lowe) (2,400; 25-26)—"I Was an Adventurer" (20th) and "Terror" (20th). Last week, "Little Mother" (M-G) and "Blue Heaven" (WB), \$2,500.

Columbia (Lowe) (1,300; 25-26)—"Strange Cargo" (M-G). Back downtown after two weeks at Palace, and likely to hit paydirt \$1,500. Last week, "Robbery" (U) (M-G), (M-G), profitable \$1,000.

Kerle (WB) (2,200; 25-26)—"Typhoon" (Par) and "Red Herring" (20th). Last week, "Terror" (20th) and "Black Beauty" (Par), \$2,500.

Kerle (WB) (2,200; 25-26)—"Typhoon" (Par) and "Red Herring" (20th). Last week, "Terror" (20th) and "Black Beauty" (Par), \$2,500.

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Key City Grosses

Estimated Total Gross
This Week \$1,000,000
(Based on 27 runs, 178 shows, chiefly first runs, including N. Y.)
Last Year \$1,100,000
(Based on 24 runs, 180 shows)

'IRENE' TOPPING \$6,000 IN OMAHA

Omaha, May 21.—Bad weather for once did the movies a good turn when a mild drizzle settled down on the local Golden State day Saturday (21) and sent visitors hurrying to shelter, chiefly the theaters.

"Irene" at Broadway, looks as if it will end over \$6,000 mark, with score for the house. Film dropped in two days ahead of time when "Bill of Divorcement" failed to stick. "Lillian Russell" at Orpheum, looks like over \$12,000.

Estimates for This Week
Orpheum (Tri-State) (2,000; 25-26)—"Lillian Russell" (20th) and "The Owl" (20th). Looks for good \$12,000. Last week, "My Way" (U) and "Women Names" (Par) \$1,000, okay.

Brandale (M-G) (1,800; 25-26)—"Irene" (RKO) and "Beyond Tomorrow" (RKO). Tied off Tuesday (24) when "Divorcement" (RKO) and "Angel Tramp" (WB) were withdrawn two days ahead of schedule after poor \$4,000. "Irene" looks over \$6,000, fancy.

State (Goldberg) (1,800; 25-26)—"Pioneer" (RKO) and "Married Wife" (20th). Split with "The Boy" (WB) and "Ranch Grange" (RKO). Fair \$1,200. Last week, "Northwest" (M-G) and "Interference" (U), split with "Mystery" (RKO) and "Blonde Budget" (Col.), n.g. \$1,000.

Omaha (Tri-State) (1,800; 25-26)—"Black Beauty" (Par) and "Sage Hen" (U). (M-G). Good \$1,000 indicated for. Last week, \$1,000.

Town (Goldberg) (1,200; 25-26)—"Murder Yuck" (M-G), "Europe Parade" (RKO) and "Come By Night" (20th). Tied off with "Haunted Gold" (WB), "Cherry Trade" (WB) and "Ride, Cowboy" (WB). Good \$1,000. Last week, "Married Love" (RKO), "Ballet Rhythms" (Col) and "Mad Empress" (WB), split with "Young Feet" (20th) and "Black Beauty" (Indie), \$1,000, fair.

Avenue-Military-Dunbar (Goldberg) (1,200; 25-26)—"Pioneer" (RKO) and "Dark Command" (RKO). Split with "The Boy" (WB) and "Interference" (U). Ought to bring good \$1,200. Last week, "Northwest" (M-G) and "Interference" (U), split with "Young Feet" (20th) and "Black Beauty" (Indie), \$1,000, fair.

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'Typhoon' Is Seattle's Big Breeze at \$4,700

Seattle, May 21.—"Favorite Wife" is proving such a box at the Fifth Ave. that she's holding after \$18,000 for the first status. "Typhoon" had enough to move to the Blue House, while "Black Beauty" slipped from Paramount to House.

"One Million B.C." didn't warrant second week, especially with the hot weather demanding something in character; in Liberty has "21 Days' Wonder". Paramount ("Hayling") still dark, with no hope apparently to re-appear.

Estimates for This Week
Blue House (Hamrick-Exergreen) (1,800; 25-26)—"Typhoon" (Par) and "Shocking High" (20th). Moved from Orpheum, looking for \$1,500 for five days, show. Last week, "Terror" (RKO) and "On Their Own" (20th) (2d wk) \$1,000, fair.

Columbia (Hamrick-Exergreen) (1,800; 25-26)—"Black Beauty" (Par) and "Shocking High" (20th) (2d wk). Anticipate good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

Fifth Avenue (Hamrick-Exergreen) (1,800; 25-26)—"Favorite Wife" (RKO) and "One Beautiful" (M-G) (2d wk). Holding great \$1,000. Last week, "Terror" (RKO) \$1,000, fair.

Liberty (Lowe) (1,800; 25-26)—"21 Days' Wonder" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "The Million B.C." (U) and "Over Moon" (U) \$1,000, okay.

Music Box (Hamrick-Exergreen) (1,800; 25-26)—"Black Beauty" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

Orpheum (Hamrick-Exergreen) (1,800; 25-26)—"Typhoon" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

Palace (Hamrick-Exergreen) (1,800; 25-26)—"Typhoon" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

Paramount (Hamrick-Exergreen) (1,800; 25-26)—"Typhoon" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

Walter Garden (Hamrick-Exergreen) (1,800; 25-26)—"Typhoon" (Par) and "Shocking High" (20th) (2d wk). Holding for good \$1,000. Last week, "Young Agent" (M-G) and "Terror" (RKO) (2d wk) \$1,000, fair.

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War Hysteria Gets Blame in L. A.; White's 'Scandals' Terrif \$30,000, 'Waterloo,' \$20,500, 'B.C.,' \$17,000

Broadway Grosses

Estimated Total Gross
This Week \$22,000
(Based on 12 shows)
Total Gross Since Week
Last Year \$24,000
(Based on 12 shows)

BEERY-CANTOR FAIR \$8,000 IN K.C.

Kansas City, May 21.—Films are in for a light week currently. Best of the lot are "Typhoon" at Newman, and "21 Days' Wonder" at Midland, coupled with "21 Days' Wonder".

Warner Brothers' "In Old Missouri" at Tower, has stepped up the bit there just to the previous one did. "My Favorite Wife" is a hold-over at the Orpheum, but has a new dual partner in "British Intelligence".

Estimates for This Week
Reggie and Uptown (Fox Mid-west) (1,800; 25-26)—"House of Seven Gables" (U) and "Black Friday" (U). Almost heavily at the horror line, but light at \$1,000. Last week, "Adventurer" (20th), mild in Uptown, but dated with "Western Star" (Par) at the Regency, show \$1,000.

Midland (Lowe's) (1,800; 25-26)—"Black Beauty" (M-G) and "21 Days' Wonder" (M-G). Drawn somewhat divided between Beery and Cantor, but neither bad. Fair \$1,000. Last week, "Wildfire" (M-G) and "Gladys' Case" (M-G), as-as \$1,000.

Newman (Paramount) (1,800; 25-26)—"Typhoon" (Par). Giving satisfactory amount of itself at \$1,000. Last week, "Black Beauty" (Par), sound week, \$1,000, okay.

Orpheum (RKO) (1,800; 25-26)—"Favorite Wife" (RKO) (2d wk) and "British Intelligence" (WB) (1st wk). Grating at \$1,000. Last week, "Black Beauty" (Par) and "Gladys' Case" (M-G), as-as \$1,000.

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Uptown (Fox Mid-west) (1,800; 25-26)—"House of Seven Gables" (U) and "Black Friday" (U). Almost heavily at the horror line, but light at \$1,000. Last week, "Adventurer" (20th), mild in Uptown, but dated with "Western Star" (Par) at the Regency, show \$1,000.

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Los Angeles, May 21.

(Best Explanation: State)

War hysteria is blamed by most of the first-run operators for dearth of business, although a few isolated attractions, such as George White's "Scandals" on Paramount stage, and "Wind" and "Rebels," hold-overs at Carthay Circle and Four Star, are attracting profitable box.

"Scandals," an accompaniment to "Farmer's Daughter," giving Paramount best gross it has had in months, and at \$10,000 is better than the full-length rerun, with the Howards included, drew at Biltmore Theatre, where it was presented at \$1.25 top.

Revered-up for his "Waterloo Bridge" at the State-Chinese, where combined take should be around \$10,000. Other houses are doing just fair, with newcomers doing badly.

"Waterloo Bridge" exploitation included distribution of \$10,000 heralds which carried Vivian Leigh picture and wording, "Who Is She?" on frontispiece, creating considerable interest. Three heralds were distributed by girls in downtown Los Angeles and Hollywood. Another outstanding stand was one of a crowd truck at Carthay Circle, where Miss Leigh is appearing in "Wind" as Scarlet O'Hara, and securing audience opinion whether they wanted to see girl in "Bridge." Playlets were recorded on various local radio stations, to good results.

Estimates for This Week
Carthay Circle (F-W-C) (1,800; 25-26)—"Wind" (20th) (2d wk) and "Rebels" (20th) (2d wk). Should go nearly as well this week as last, when take was best since seventh week of engagement. New record in attendance was set Sunday (22), when 2,200 passed through turnstiles as against house capacity for three shows of 1,500. This week looks like \$10,000, compared with big \$10,000 last status. Due to his sport, gross of "All This and Heaven Too" (WB) has been substantially postponed. Opening had been scheduled for June 4.

Chinese (Grueman-F-W-C) (1,800; 25-26)—"Waterloo Bridge" (M-G) and "On Over" (20th). B.o. power at Vivian Leigh and Robert Taylor credited for next \$10,000. Last week, "Kildare Case" (M-G) and "Adventurer" (20th), dismal \$1,000.

Downtown (WB) (1,800; 25-26)—"William B. C." (U) and "Can't Love" (U). Running for very good \$10,000. Last week, "Flight Angels" (WB), weak \$1,000.

Four Star (U-A-F-W-C) (1,800; 25-26)—"Rebels" (20th) (2d wk) and "Wind" (20th) (2d wk). Should do \$1,200 currently, after good \$1,000 last week.

Hawaii (G&S) (1,800; 25-26)—"The Lincoln" (RKO) and "Compassionate Christian" (RKO) (2d wk). Not dropping over 50% on hold-over for fair \$1,000. First week, nifty \$1,000.

Hollywood (WB) (1,800; 25-26)—"William B. C." (U) and "Can't Love" (U). Dual. Slight improvement in trade this week, but at \$1,000 nothing to cry over. Last week, "Flight Angels" (WB), weak \$1,000.

Orpheum (F-W-C) (1,800; 25-26)—"Compassionate Christian" (RKO) (2d wk) and "Wind" (20th) (2d wk). Couple at first-run plus this week, but not in sight is \$1,000, not profitable. Last week, second run.

Antip B.O.s Perk as Coal Strike Ends; Exhibs Continue War on 'Excessive' %

Sydney, May 21.
Ending of the commonwealth-wide coal strike, plus the fact that the increased war tempo on the European front has had little effect upon show box audiences Down Under, suggest better times for territorial B.O.s. Settlement of the strike, which affected 100,000 jobs, is particularly advantageous to exhibitors, who are now relieved of a major problem among their multiple head-owners that include a product shortage and what they call excessive rates charged them by American distributors.

Presently, exhibitors are waging a strenuous fight against "Pioneer" (B.O.) rentals of 50%, this following on the heels of the attack against the 70% asked for "Gone with the Wind" (M-G).

'Gone,' 'Pioneer' Sinks
Despite the exhibit fight, the Disney picture and "Gone" are doing excellent business, with the improvement of the latter's box being particularly notable because of the serious effort of the exhibitor attack, coupled with insistence of exhibitors protesting the exorbitant prices. "Pioneer" opening in Sydney was particularly powerful. The exhibitors, through their body, had advised all members to lay off bookings of "Gone," "Gulliver's Travels" (Par) and "Pioneer" (B.O.), the reason for the protest against "Gulliver" being the same as for the other two.

"Pioneer" is playing at the Grand State Theatre, operated by the Greater Union circuit. Greater Union maintained in the terms after the film had first been booked to Hoyt as an arrangement by which it always gets first crack at B.O. product in Australia. Hoyt's refusal to comply to the "excessive" terms led to the deal with Greater Union, which has always had difficulty in getting first-run product from the States. New Zealand's largest exhibitor, the Associated Theatres, has also booked "Pioneer" for dates, presently at the 50% figure.

'Gone' at Major Houses
The ability of "Gone" to get first-run bookings locally is due principally to the fact that the film is playing at the Met's own houses here, the St. James and the Liberty. In Melbourne, where the pic is due to open June 1 at two theatres, one of the houses is an M-G, the Metro; the second, paradoxically, is Hoyt's Regent. A special arrangement on the latter, however, provided the exhibitor, it will be recalled that Hoyt played "Snow White" (B.O.) at 50%. Though a similar ban had been placed against the pic by the exhibitor's association.

The Hoyt chain, one of the largest on the continent, is one of the outstanding forces behind the refusal to play "Pioneer," being willing to pay only on a "rental" basis. This idea is consistent with the general exhibitor antagonism in Australia against blind booking.

U. S. Distribs Hear New Report of 25% Mex Coin Freezing

Reports that the Mexican government may be petitioned to install currency restrictions on U. S. distributors, which were received by home offices last week from their Mexico City representatives, is viewed in New York as one of the annual threats which develop in that country. Latest intimation would be to freeze 25% of revenue collected by American distributors in Mexico and hold it for local production.

While proposal is predicated on the belief that U. S. companies are making vast profits from operations in Mexico, one figure was that major companies had \$1,000,000 net profits from Mexico each year. Foreign government executives in N. Y. claim that this is out of line with actual facts even if the amount was in Mexican pesos instead of American dollars. (The peso is worth about 17¢).

EXHIB-LABOR PEACE

Mexico City, May 21.
Work peace, at least for the present, has been obtained by exhibitors.

Uniform countryside labor payment their help demanded has been agreed.

British Equity Elects

London, May 7.
The Council elected by British Equity for 1948-49 are Leslie Banks, Felix Aylmer, Joan Cadell, Lewis Casson, Frank Cellier, Franklyn Dyer, Robert Donat, Gordon Barker, John Gielgud, G. B. Harrington, Keith Evans, Leslie Henson, Walter Hudd, Marie Lohr, Beatrice Lohman, Clifford Maltman, Henry Oscar, Cecil Parker, Llewellyn Rees, Flora Robson, Athene Seyler, Geoffrey Toye, Ralph Thorndike, Austin Trevor and Arthur Wrenner.

New members: Richard Bird, Wilfred Bragg, Simon Blair, Mark Dymally, Eric Fawcett, Jack Hawkins, Florence Desmond, Andrew Crichton, Constance Cummings, Bobby Howes, Mary Merrill, Doris Perchman and Guy Verney.

Hoyt's GUT Deal On Booking Seen Operating July 1

Sydney, May 21.
Merging of Hoyt's and Greater Union circuits in their film booking through General Theatres now is being modified to go into operation by July 1, and pressure is being exerted from B.O.s in N. Y. to complete the deal. B.O. holds the controlling interest in Hoyt's.

Originally the booking monopoly plan was supposed to have been ready to put into operation the first of this year. Objections of certain stockholders affiliated with Hoyt's seemingly have stalled approval in recent weeks.

War No Stepping to Deal

Don Michalove, National Theatre executive, 30th-Fox subsidiary, who went to Sydney last fall in an effort to place the Hoyt-Greater Union plan in operation, tells Variety he doesn't believe the European war will interfere with actual consummation of the deal. He's indicated that only certain details have to be ironed out before the booking plan would be ready to be placed into operation. Various Hoyt's stockholder groups in Australia must be appeased and booking deals with American major companies adjusted.

Michalove returned to the U. S. several months ago after having been in Australia since last fall. He went to the Antioch inventory recently at Sydney Kino's personal request to see that the Hoyt-Greater Union agreement was carried out.

Under the plan, General Theatres, an inactive Australian corporation for the past several years, would be revived at the joint booking company for Hoyt's and Greater Union. Michalove expects to return to Australia early this fall.

Italy's War Status Holds Up London Film Deals

London, May 7.
Unsettled war condition in Italy is holding up several film deals in London. Most important is a three-picture pact between Columbia (London) and Two Cities Films, whereby latter is to make pictures, putting up 50% of production cost, with Columbia to guarantee releases and other 50%.

First picture, "Tyndrum Radio," is set for production, but Mario Zampi and Del Guisti, both Italians and heads of TCF, are trying to get the bankruptcy of Italy's last Italian film company, which controls country's own foreign releases, is not doing the deal.

Similar situation involves Grand National Films (London), which has sold Italian rights of "Star Line" to the Italian market, Italian distributor, who also purchased George Formby film from Associated Talking Pictures and is negotiating for Colonel Paul's "Fugitive."

GRIFFITHS SEEN HEADED FOR LONDON PAR POST

London, May 21.
David Rose, Paramount's managing director in Great Britain, is arranging provisional exchange of the company for some personality to head the London sales force vacated by Charles Dickson.

David Griffiths, formerly head of Warners-First National here, however, is the likely choice.

ANZAC PIX PUSH FIGHT VS. ABC 'TACTICS'

Sydney, May 1.
Film Council of Australia, after previous warnings, is ready to take further steps against the Australian Broadcasting Commission if latter does not restrict its "tactics" in respect to the pic biz. Charles Munn, of the Hoyt chain, recently took a poke at the ABC following its method of pic criticism over the air, and Herman R. Rydges, Greater Union, also had a word to say in the matter.

Sam Snider, Snider-Dwan, has taken steps to present a strong case to Postmaster-General Thorpe, controller of radio here, covering the case made strong by the ABC. Snider points out that the industry has always been willing to cooperate with the ABC on matters of public interest, but that the ABC has continued to slap the film setup, especially in its reviews of U. S. British and local product.

Mention is made that if the government, via the postmaster-general, does not ease the present situation, the PCA will buy time from commercial stations to give the public an earful of conditions, and other methods will be adopted to overcome industry steps by the government-controlled ABC.

LONDON LEGIT GOES BLOTTO

London, May 21.
West End legit business, in addition to the rest of show biz, has been hit hard by the "total war" launched by Germany, with "Blitzkrieg" which has been a hit, taking as low as \$100 at some performances.

"Black Velvet" is off 25%, while "Pavane" is carrying on with principle on percentage.

Shows which closed May 18 were C. B. Cadden's revue, "Fanny Side Up," and "Without the Fringe," closing May 20 are "Beyond Compare," "Come Out to Play" and "Bigger's Opera."

Provisional notices are up for "Whitehorse Inn" and "Good Men Sleep at Home." A. J. Cronin's first play, "Jupiter Laughed," twice announced to open, plus the planned revival of "Dear Octopus," have been indefinitely postponed. Others closing shortly are "Cora Is Green" and "French Far Love."

SHOW BIZ'S WAR TOLL

Two Men to Die for Espionage, One French Actor Killed, Two Hurt

Paris, May 8.
The war has taken its toll on cinema and show representatives, with two condemned to death for espionage, and one killed and two seriously wounded on duty in the front lines.

Currier Mari 26, of Berlin nationality, and a newspaperman in Berlin, known as the "Frenchman," and Fritz Erich Iher, 28, Berlin-born and connected with German film industry, were condemned to death (20) by a military tribunal here, and will face the firing squad shortly unless their execution is stayed by President Lohren. Latter is unexpected.

Pierre Berthodaux was killed and Jean Siquem and Michel Tiquet were severely injured during a German shelling of the French front lines. They were arrested men.

British Booking-Prod. Plan Pushed; Indies Would Insure Exhib Outlets By Fighting Majors' Rental Control

4 Gov't-Backed Films

Sydney, May 1.
Local pic industry is moving ahead on environmental note. Charles Chauvel is making "40,000 Horsemen," a tale of the Australian Light Horse. Cast includes Grant Taylor and Betty Bryant.

Clarence Badger is directing a local yarn, titled "That Certain Something," with home-brew cast, and Noel Hawkins will do "The Power and the Glory," likewise with home players for Argus. Chauvel is listed to shoot another local yarn when Chauvel moves out of the studio.

London Bobbies Test Extension Of Nite Club Curfew

London, May 7.
Allowance by London of a special area to test experimental stretch in drinking hours has brought a glad yell from other West End spots anxious to be declared in on this possible act and drink traffic up to 2 a.m. One of the spots chosen, Leon's Casino House, an eatery catering to semi-industrial trade, welcomed the police watchers checking on the restriction, and carried reports of commendation for the measure. Crowd was at overflow, mixing their drinks with food and music, and all in an orderly manner.

Although not indicated, police department test is seen as an effort to crack down on the private Battle Party clubs. These military haunts have been panned many times for their activities, but method of operation keeps them beyond the authority rap.

Recently, there have been squawks about having of soldiers at similar carnage haunts via fancy prices for beer and soft drinks with a shot of alk. But police have been almost powerless to clamp down. But granting of this 2 a.m. extension to specified saloons would provide the army boys with known and legitimately managed rendezvous.

A further benefit from the measure includes musicians. These spots must provide something to keep the atmosphere at cheering point; the hiring of instrumentalists, even if only for a time, is seen as the logical answer. There are still plenty of drummers around these war days; quite a number of them doing their stuff on the parks, and legitimate stuff at that, not the usual street variety.

Another clank on the Battle Party setup says that it hires no notable talent, being a straight sit, drink and talk proposition. The new measure should do something to reduce bookings.

Paris Curfew Moved Back

Paris, May 21.
During time for Paris legions, saloons and cinemas has been moved back to 11 p.m., due to Nazi air raids.

CENSORS NIX 'MICE' PIC IN AUSSIE; LEGITER OK

Sydney, May 1.
John Stanbury's "Of Mice and Men," aimed at cinema in pic form for Aussie showings, is now being prevented in light by Fred Blackman at the Ministry here.

Pic, aimed over by area, looks set for successful run. Cast includes Lionel Lincoln, Frank Brindley and Patricia Macdonald.

GOODMAN DELAYED

Maxie Goodman, Republic's foreign chief, due in New York May 28 instead of this week as originally expected.

He is Panama delaying return.

London, May 7.
Cooperative booking-producing plan gets further impetus with a meeting tomorrow (8) of those independent film exhibitors concerned in the scheme. Letters have been giving attention to vital details of the undertaking since it was revived a few weeks ago.

Admitted intention of the plan is to guarantee booking dates in independent producers in advance of production. Scheme would be basically one of blind booking. Producers themselves are unable to present any definite outline beyond stating it would follow lines to be established by the Board of Trade. A large number of details have yet to be worked out before any practical shape is secured. The final scheme may be completed in several months.

A detail which must receive ample going-over is that there is nothing to prevent any one of the major groups from forming a semi-organized subsidiary and setting it down in the middle of the cooperative plan. Company laws of this country do not prohibit directorate duplication. Such a development would spell doom to what is the whole idea of the independent bookers behind the plan, a means to combat rentals.

VAF DIVIDED ON ALIEN PERMITS

London, May 7.
Variety Artists Federation, which used to admit American and other foreign acts to join, telling them they would reap all the benefits of the locals, are continuing to fight tooth and nail to keep foreigners out of vaudeville here. They are primarily responsible for the minority of labor's refusal to allow immigration, and also intimate to agents that acts playing here must get out as soon as possible.

Trouble is brewing among members of the VAF. Big percentage of its executives are members of the Water Gate, which is international in scope and is much older than the VAF. Several of their members have intimated they will sever their connections with the VAF for the latter members' arrangements, claiming that talent is international. Some of the Water Gate have even threatened they will break up the VAF.

Intensified Warfare Won't Deter British Unit's Prod. Plans

British National, producing subsidiary of Anglo-American Film Corp., is going forward with its program of producing 13 features annually in England despite the intensified war, according to Gerald Freeman, managing director of Anglo-American, who is in New York for a month's visit.

Freeman brought over a print of "Crested Hawk," most ambitious screen effort of British National, and has been showing it to several major distributors. Deal was on this week whereby United Artists will distribute the film in the U. S. American rights have been sold to Samuel Goldwyn and David O. Selznick, according to Freeman. Conrad Veidt and Valerie Hobson are starred "Glasgow," just completed in England for the month, will be ready for release in this country shortly, he said.

London, May 21.
Anglo-American has sold American rights of "Crested Hawk" to Samuel Goldwyn and David O. Selznick for about \$1,000,000 (about \$180,000).

Conrad Veidt, main part of film, who accompanied Gerald Freeman, managing director of Anglo-American, to N. Y., may proceed with his picture.

EDISON, THE MAN

East Orange, N. J., May 18.
 Paramount Pictures presents a new biographical picture, "Edison, the Man," starring Charles Laughton, Charles Coburn, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

In all technical respects, "Edison, the Man," is a credit to those who made it.

The picture is a story made with money showing in every part of it. "Edison, the Man" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

"Edison, the Man" is the nature of a sequel to "Young Tom Edison" (Mickey Rooney), which went on general release March 18 and is presently playing subsequent run houses. The far more important years in Edison's life, highlighted in "Edison, the Man," are made available at a very early date, bringing up the question of whether enough breathing space between the two films is being provided.

The sequel takes up with Edison after he has gone to New York to pursue his studies as an inventor. Rooney carried the character through his boyhood in Menlo Park, where Edison was a telegrapher, through to Rome, from whence he fled to N. Y. after inventing a gadget that wouldn't work.

Action opens on the Golden Jubilee of Light Invention held in 1879, at which the new age Edison is guest of honor. As he is being escorted to his contributions as an inventor, the story goes back to his early manhood, an heartbroken, his ambitions, the romance that came into his life and the drama as well as lighter moments that followed in an amazing career. After Edison has brought forth the incandescent bulb after heroic struggles, followed by montage shots reviewing the achievements of the Wizard of Menlo Park, the action flashes back to the banquet.

Here, Spencer Tracy as an old, but beset Edison, makes his speech. It dwells largely on the march that Edison has made, emphasizing by the fact that much that man has created for the benefit of mankind also possesses the ability to turn into monsters. This note is particularly timely right now in view of the war, and if some change is required it is a flag-waving finish. It is nevertheless a fact. John W. Churchill, Jr., producer of the picture, states that Edison made such a speech at the banquet in 1879, indicating that he could see them the manner in which scientific progress could be turned to use against civilization.

The production value Churchill has provided is matched only by the excellent direction of Clarence Brown and the performance which Tracy gives. As a young man, Tracy progresses through the years in a fanciful characterization of the noted inventor, up to the point where Edison gave his electric light bulb to the world in the 1880s.

Early portions are strong in romantic interest, but after Tracy has married the pretty Rita Johnson, two children being born, his home life is somewhat uninteresting to the inventor's work in his laboratory, his financial troubles, the extreme loyalty of his workers, etc., although splendidly a home-making man.

Though going over his invention, the clock ticks, the photograph and other things, the street street is full on the circumstances surrounding Edison's invention of the incandescent lamp. Dramatic interest is drawn largely from the months of toil and discouragement that preceded the discovery of the light, topped by Tracy's success in getting the knowledge in Menlo Park New York he electricity. Here, when the dynamo goes wild, like maniacs out of control, is one of the highlights, and well done.

The picture does not graphically point out the sad loss of all-time and gas lighting or against electricity, whereas in night scenes it could have been a little yellowish in tone and audience of the vast improvement brought by the invention. Not serious, however.

Comedy relief is well handled, being contributed partly by the direction and partly by the story. Dave Selby and Hugo Bressart write the original, while Talbot Jennings and Beahmery Foss provided the side plot. William A. Remond, of the Edison Institute, Des Moines, Iowa, and Norman R. Hughes, director of Historical Research of Thomas A.

Edison, Inc., at West Orange, N. J., acted as technical advisors.

In addition to Miss Johnson, Mr. Edison, the film cast includes Louise Overman (who supplies much of the comedy interest), Charles Coburn, Gene Lockhart, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

In all technical respects, "Edison, the Man," is a credit to those who made it.

LILLIAN RUSSELL

Universal Pictures presents a new biographical picture, "Lillian Russell," starring Alice Faye, Don Ameche, Henry Fonda and Edward Arnold. The picture is a story made with money showing in every part of it. "Lillian Russell" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

The traditional galas of the '20s are not at all gay as audiences might be led to expect in a film bearing the glamorous title, "Lillian Russell." Latest of the nostalgia series from 20th Century-Fox, this remade version of the era in the New York Theatre, as it existed around the turn of the century, is deficient in plot and character invention, amazingly short of any resemblance to reality, and lacks emotional appeal.

Whatever promise of a good time is laid out by the marquee displays, listing Alice Faye, Don Ameche, Henry Fonda and Edward Arnold as the leading players, is dispelled by a story which is scarcely more than a broad burlesque of a career that was rich in incident and background. Lillian Russell for more than a generation was one of America's greatest women personalities, on and off, and she left a deep imprint on national manners and customs. Her cinematic biography is disappointing. Film may open well enough at first runs, but business will taper off for lack of enthusiastic word-of-mouth.

Some previous versions into Broadway biography have been significant and lucrative ventures. "The Great Ziegfeld" and "Alexander's Weekly" have traveled of more recent events than "Lillian Russell." Each captured something of the spirit and impetus of its period. And both were much better. On the other hand, "The Great Ziegfeld" and "Alexander's Weekly" did not build the same. And the new film, which follows similar pattern, is aesthetically pieced together and is never quite convincing either in background or character. William Anthony McGuire, who authored "Ziegfeld," wrote the script. Irving Cummings directed.

Film has its emotional good moments, however. Joe Weber and Lew Fields are confined from retirement to contribute a highly amusing scene of their card playing duel, and Eddie Foy, Jr., does a good imitation of Foy, Jr., in the latter's old time hit, "Joe Goes to Church on Sunday." Joseph Cawthorne is splendid in a characterization of Leopold Damoreau. Nigel Bruce repeats his stage portrayal of the tony W. S. Gilchrist and Helen Westley sums up the star's grandmother.

Miss Faye in the title part wears the costumes of the period with graceful ease, and she does the song bits of long ago pitifully. On the musical side the film is well done. The melodies include "After the Ball," "The Band Played On," "Dime, You Are My Pond" and others. There are two new numbers, "Adored One," by Alfred Newman and Mark Gordon, and "Blue Love Bird," by Gus Kahn and Benjamin Kaper. Seymour Felix has staged some good dance numbers.

Other principals are less fortunate in their material. Don Ameche, wearing an off-center hair part, has the unhappy assignment of Edward Robinson. Miss Russell's first husband, Edward Arnold re-creates the role of Diamond Jim Brady; Henry Fonda, as Alexander Moore, keeps turning up in the script as a hapless youth forever worshipping at the feet of the star, and Warren William plays Jess Levinson.

Maybe the film is right, after all, perhaps the '20s weren't so gay.

Miniature Reviews

"Edison, the Man" (M-G-M). High-budget biographical sequel to "Young Tom Edison," breezily personifies very promising.

"Lillian Russell" (20th). Broadway at the turn of the century, well impersonating famous figures, and Weber and Fields speaking for themselves.

"Safari" (Paramount). Moderately entertaining triangle drama about romance in darkest Africa, with Fortbanks, Madeline Carroll.

"Those Were the Days" (Paramount). Mild entertainment of college life 48 years ago. Greener as senior after in regular runs.

"Sandy Is a Lady" (U-I). Exceedingly weak war drama built around the Finnish-Russian war.

"Sandy Is a Lady" (U-I). Breezy comedy in broadly based and slapstick comedy drama. Supporter for the family drama.

"Hidden Gold" (Paramount). Hopalong Cassidy western of better standard, with plenty of riding and shooting in fast-tempo offering.

"Gangs of Chicago" (Rex). Okay actioner for supporting stock or even top position in certain locations.

"Trapped" (U-I). Lightweight, mildly diverting action yarn about the demon reporter who uncovers the crime.

"Slaves of Passion" (U-I). Johnny Mack Brown western of average merit.

"Mad Fuzzie" (Atlas). Very bad picture, but title may get it a few pennies in the small houses.

"The Mayflower & Scapiger" (French). Romantic tragedy of Archduke Ferdinand and his assassination, leading to the World War I.

"You Be Father" (French). Concluding comedy-drama, okay for Yank audiences.

"La Rue Maest" (Italian). Okay for Italian-speaking audiences. No English titles.

"Wipeout" (French). Lillian Harvey starrer. Chancey picture.

"Safari" (Paramount). Moderately entertaining triangle drama about romance in darkest Africa, with Fortbanks, Madeline Carroll.

"Those Were the Days" (Paramount). Mild entertainment of college life 48 years ago. Greener as senior after in regular runs.

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"Hidden Gold" (Paramount). Hopalong Cassidy western of better standard, with plenty of riding and shooting in fast-tempo offering.

Those Were the Days

Paramount presents a new biographical picture, "Those Were the Days," starring Charles Laughton, Charles Coburn, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

In all technical respects, "Edison, the Man," is a credit to those who made it.

The picture is a story made with money showing in every part of it. "Edison, the Man" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

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Action opens on the Golden Jubilee of Light Invention held in 1879, at which the new age Edison is guest of honor. As he is being escorted to his contributions as an inventor, the story goes back to his early manhood, an heartbroken, his ambitions, the romance that came into his life and the drama as well as lighter moments that followed in an amazing career. After Edison has brought forth the incandescent bulb after heroic struggles, followed by montage shots reviewing the achievements of the Wizard of Menlo Park, the action flashes back to the banquet.

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Early portions are strong in romantic interest, but after Tracy has married the pretty Rita Johnson, two children being born, his home life is somewhat uninteresting to the inventor's work in his laboratory, his financial troubles, the extreme loyalty of his workers, etc., although splendidly a home-making man.

Though going over his invention, the clock ticks, the photograph and other things, the street street is full on the circumstances surrounding Edison's invention of the incandescent lamp. Dramatic interest is drawn largely from the months of toil and discouragement that preceded the discovery of the light, topped by Tracy's success in getting the knowledge in Menlo Park New York he electricity. Here, when the dynamo goes wild, like maniacs out of control, is one of the highlights, and well done.

The picture does not graphically point out the sad loss of all-time and gas lighting or against electricity, whereas in night scenes it could have been a little yellowish in tone and audience of the vast improvement brought by the invention. Not serious, however.

Comedy relief is well handled, being contributed partly by the direction and partly by the story. Dave Selby and Hugo Bressart write the original, while Talbot Jennings and Beahmery Foss provided the side plot. William A. Remond, of the Edison Institute, Des Moines, Iowa, and Norman R. Hughes, director of Historical Research of Thomas A.

Edison, Inc., at West Orange, N. J., acted as technical advisors.

In addition to Miss Johnson, Mr. Edison, the film cast includes Louise Overman (who supplies much of the comedy interest), Charles Coburn, Gene Lockhart, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

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SANDY IS A LADY

Hollywood, May 18.

Universal Pictures presents a new biographical picture, "Sandy Is a Lady," starring Alice Faye, Don Ameche, Henry Fonda and Edward Arnold. The picture is a story made with money showing in every part of it. "Sandy Is a Lady" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

"Sandy Is a Lady" is the nature of a sequel to "Young Tom Edison" (Mickey Rooney), which went on general release March 18 and is presently playing subsequent run houses. The far more important years in Edison's life, highlighted in "Sandy Is a Lady," are made available at a very early date, bringing up the question of whether enough breathing space between the two films is being provided.

The sequel takes up with Edison after he has gone to New York to pursue his studies as an inventor. Rooney carried the character through his boyhood in Menlo Park, where Edison was a telegrapher, through to Rome, from whence he fled to N. Y. after inventing a gadget that wouldn't work.

Action opens on the Golden Jubilee of Light Invention held in 1879, at which the new age Edison is guest of honor. As he is being escorted to his contributions as an inventor, the story goes back to his early manhood, an heartbroken, his ambitions, the romance that came into his life and the drama as well as lighter moments that followed in an amazing career. After Edison has brought forth the incandescent bulb after heroic struggles, followed by montage shots reviewing the achievements of the Wizard of Menlo Park, the action flashes back to the banquet.

Here, Spencer Tracy as an old, but beset Edison, makes his speech. It dwells largely on the march that Edison has made, emphasizing by the fact that much that man has created for the benefit of mankind also possesses the ability to turn into monsters. This note is particularly timely right now in view of the war, and if some change is required it is a flag-waving finish. It is nevertheless a fact. John W. Churchill, Jr., producer of the picture, states that Edison made such a speech at the banquet in 1879, indicating that he could see them the manner in which scientific progress could be turned to use against civilization.

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SAFARI

Paramount presents a new biographical picture, "Safari," starring Charles Laughton, Charles Coburn, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

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The picture is a story made with money showing in every part of it. "Edison, the Man" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

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SKI PATROL

Paramount presents a new biographical picture, "Ski Patrol," starring Charles Laughton, Charles Coburn, Henry Travers, Felix Bressart and Felix Galunsky. Both Coburn and Laughton are very important characters in the story as business friends who help Edison get his start. Laughton later turned on him through greed. These characters are excellently acted.

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HIDDEN GOLD

Hollywood, May 18.

Universal Pictures presents a new biographical picture, "Hidden Gold," starring Alice Faye, Don Ameche, Henry Fonda and Edward Arnold. The picture is a story made with money showing in every part of it. "Hidden Gold" is a biographical picture from Metro that takes place among the more important biographical contributions by the screen. Its appeal may be restricted somewhat, depending on the public interest in the life of the late Thomas A. Edison from an entertainment point of view, but every indication is that the biographical possibilities are bright. A question is whether the film will be appreciably above the normal for outstanding film as far as the women are concerned.

"Hidden Gold" is the nature of a sequel to "Young Tom Edison" (Mickey Rooney), which went on general release March 18 and is presently playing subsequent run houses. The far more important years in Edison's life, highlighted in "Hidden Gold," are made available at a very early date, bringing up the question of whether enough breathing space between the two films is being provided.

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20th

**CENTURY-FOX FILM
CORPORATION**



**PRODUCT
ANNOUNCEMENT**
for
1940-41

At a time when great pictures are more than ever necessary for the continued prosperity of our industry, Twentieth Century-Fox Film Corporation takes pride in announcing its production program for the season 1940-41.

We expect to release 52 feature pictures; and, for exhibitors throughout the world, it is of the utmost importance to note that with leading foreign markets destroyed or weakened by war or currency restrictions, this Company has made no curtailment in its production budget. In our opinion this is the only policy which can assure to theatre operators and ourselves the quality of pictures which is vital to progress and profitable operation.

From the stories and with the stars, players and directors listed on the following pages will come the great majority of the productions released by this Company next season. Because of circumstances which nobody now can foresee, some of these stories may not be produced—in their final form some may not measure up to our hopes, others may be replaced with timelier, more important subjects. In every case, however, where a change is made, it will be done solely to improve the program.

In listing the personalities for our product, as well as directors, we name only those who are under contract to this Company or whom we have already borrowed from other producing companies. As in the past, however, we expect to use additional boxoffice names not now ready for announcement.

Twentieth Century-Fox is proud in the knowledge that as of today we have on our books more accounts than ever before in the history of this Company. To our customers throughout the world we present this program which we sincerely believe to be the greatest and most forward-looking list of pictures we have ever had.

Twentieth Century-Fox Film Corporation

52

FROM 20th CENTURY-FOX FOR 1940-41

...of which 26 will be produced from the following stories, or others timelier and greater... all on a scale worthy of these extraordinary properties!

BRIGHAM YOUNG

Tremendous, human—being produced on a heroic scale. The cast already includes TYRONE POWER, LINDA DARNELL, DEAN JAGGER (brilliant Broadway star), Jane Darwell, John Carradine, Brian Donlevy, Mary Astor, Vincent Price. Written by Louis Bromfield ("The Rains Came"). Screen play by Lamar Trotti, author of "In Old Chicago." Directed by Henry Hathaway. To be launched with the greatest nationwide promotion 20th ever gave a picture.

DOWN TO THE SEA IN SHIPS

Without a doubt the greatest sea story ever written! Set for the spectacular top-budget production its scope demands. Directed by Henry King.

HOW GREEN WAS MY VALLEY

Today's runaway best-seller! The story property of the year! Richard Llewellyn's powerful, emotional novel will receive a production that assures it a place among the great pictures of all time. Directed by John Ford.

TIN PAN ALLEY

A lavish and magnificent musical on the scale of "Lillian Russell"—in the romantic setting where are born the songs the whole world sings and plays and remembers.

WESTERN UNION

by Zane Grey

Words of meaning to every American, and in them Zane Grey found his last and greatest story. The epochal spanning of our continent by wire—a vital lifeline to the nation torn asunder by the fury of the Civil War. A production of maximum importance and showmanship opportunity.

BROOKLYN BRIDGE

TYRONE POWER . . . ALICE FAYE . . . DON AMECHE . . . HENRY FONDA . . . LINDA DARNELL . . . EDWARD ARNOLD! New York during the decade that transformed it from an ordinary seaport to the world's greatest metropolis!

THE GREAT PROFILE

JOHN BARRYMORE
plays the title role.

THE RETURN OF FRANK JAMES

In Technicolor
Boxoffice successor to "Jesse James," unanimously acknowledged 1939's biggest money-maker. HENRY FONDA plays the title role. Jackie Cooper, John Carradine, Donald Mack, Gene Tierney, J. Edward Bromberg, Eddie Collins. A top-profit certainty, made in response to unprecedented audience demand. Directed by Fritz Lang.

SGT. SAM DREBEN, U. S. A.

The unparalleled adventures of Fighting Sam Dreben, named by General Pershing "a one-man army." Vital and colorful, his thrill-packed story receives merited big-scale handling! Story by William Anthony McGuire. Directed by John Ford.

5th AVENUE

The brilliant new novel by Polan Banks. A story, of the five decades from the glittering nineties to now. Definitely important boxoffice.

BELLE STARR

The fiery, high-born Southern beauty who became history's most notorious woman outlaw when carpet-baggers pillaged her family's fortune and Yankees murdered her father. Tempestuous romance, blazing with thrill and adventure. Story by Nunnally Johnson. ALICE FAYE will play the title role.

SONG OF THE ISLANDS

Seldom has a story locale lent itself to such spectacular production. Vivaldi, arrestingly different drama of Hawaii's vast plantations . . . sensationally climaxed by a hurricane-driven, cane-field fire that threatens the island and its people with flaming destruction!

DOWN ARGENTINE WAY

In Technicolor
The stand-out musical of 1940-41. Starring ALICE FAYE, DON AMECHE . . . and introducing tantalizing, torrid-voiced CARMEN MIRANDA of "Streets of Paris." Broadway hit that was her personal triumph. Songs by Mack Gordon. Directed by Irving Cummings.

YOUNG PEOPLE

SHIRLEY TEMPLE, JACK OAKIE, CHARLOTTE GREENWOOD! The tumultuous and exciting cavalcade of a vaudeville child-star's rise, bringing back to you memorable highlights of Shirley's own spectacular career . . . featuring Gordon & Warren's best songs ever and a top-name cast. Directed by Allan Dwan.

I MARRIED A NAZI

(TENTATIVE TITLE)
The sensational Liberty Magazine serial that created a national furor . . . relating the amazing, unforgettable experiences of a young American woman, plunged into the Nazi reign of terror. JOAN BENNETT, Anna Sten, William Gargan. Front-page impact, record grosses.

Elsa Maxwell's PUBLIC DEB No. 1

Keyed to today's smartest comedy vogue! With famed Elsa Maxwell showing how debs tick and click. Co-starring LINDA DARNELL, GEORGE MURPHY, with Charlie Ruggles, Ralph Bellamy, Mischa Auer, Berton Churchill, Franklyn Pangborn, Maxie Rosenbloom. Directed by Gregory Ratoff.

RED CROSS NURSE

No more vital theme has ever inspired a great picture. Courage and sacrifice against a thrilling panorama of hurricanes, floods, Arctic storms, mine disaster. Alive with heart-lift, showmanship wallop.

THE GREAT COMMANDMENT

Its greatness given even more powerful impact by its astounding parallel to the happenings of our own times. Spectacular drama of a crushed and helpless people during the last days of Christ. The matchless might of Roman arms . . . countless legions and fearsome war chariots plunging resistlessly through enemy hosts. And through it all a truly inspiring love story. TYRONE POWER and LINDA DARNELL head the impressive cast!

CHAD HANNA

The newest and greatest novel by the famous author of "Drums Along the Mohawk," Walter D. Edmonds! One of 20th's most important story acquisitions—already sweeping to the top of the book lists—acclaimed a "sure-fire, big-time best seller"! The exciting, warming, human story in which young Chad Hanna figures will be an unforgettable picture . . . produced with all the sweep and scope it merits!

Irving Berlin's SAY IT WITH MUSIC

The "Alexander's Ragtime Band" of 1940-41! The great romance of the glamorous, fantastic 1920's . . . keyed to a title of incalculable value. Six new Irving Berlin hits will be added to his finest melodies of that incredible decade. Outstanding cast and production further insure the importance of this attraction. A showmanship show!

THE CALIFORNIAN

Turbulent, action-crammed drama of California's most romantic days. Blazing with the reckless deeds of a mysterious caballero whose daring forays terrorized the tyrant clique despoiling the country and its people. TYRONE POWER heads a spectacular cast.

HIGHWAY 66

The route that "The Grapes of Wrath" made immortal becomes the scene of another powerfully realistic drama . . . doubly boxoffice because of its association in the minds of movie-going millions with the sweepingly successful Steinbeck masterpiece.

HUDSON'S BAY COMPANY

Drama at its mightiest . . . sweeping from the gay, dissolute court of England's Charles II to the remotest outposts of the savage Canadian Northland . . . depicting the London Plague and Fire, notorious Nell Gwynn, high intrigue, heart-stirring forest adventure. Story by Lamar Trotti.

THE KHYBER PASS

A cut in the mountains which today holds the fascinated attention of the world. The great story of the historic gateway to the wealth of India.

BROTHERS

Moving human drama of two brothers, bred in the teeming waterfront of today's San Francisco, and the girl they both loved. To be cast with three great stars!

DOWN ON THE WABASH

(TENTATIVE TITLE)

The realistic story of a young, small-town banker whose faith in himself and his fellow-men caused him to revolt against the powers throttling the community that was his home. Rich in young and mature love . . . electrifying in its explosive surprise climax.

STUDIO CLUB

Drama spotlighting the fascinating lives and careers of the world's most gorgeous girls . . . famed even in Hollywood for their loveliness! Revealing their ambitions, heart-breaks, loves, schemes! A story thrilling and unusual!

SUN VALLEY

Playground for the wealth and aristocracy of all the world . . . the internationally-famed headquarters for winter sports becomes the scene of SONIA HENIE'S most dazzling and enthralling picture. An exploitation natural of nature.

YESTERDAY'S HEROES

William Brent's sensational Saturday Evening Post serial. A daringly new kind of football story showing the bitter disillusion of proud grid stars, when the high-pressure college "system" has used them up and their lane is forgotten. Packed every second with scoring punch.

LADIES OF THE ROAD

Hitch-hiking along the nation's highways . . . riding the rods of the transcontinental freight trains . . . a strange new class of itinerants confronts America! Their story will be screened in all its drama and timeliness!

DANCE HALL

Adapted from W. R. Burnett's powerful novel of young people in the steel towns. To be made with the same daring realism that characterized "The Grapes of Wrath."

LUCKY BALDWIN

The stirring, spectacular glorification of a great legend! What "Kentucky" did for Kentucky horse-racing, this will do for golden California and its same sport! And against this vivid background—the strange, dramatic and eventful life of the Far West's most colorful character! Of foregone appeal to every entertainment lover!

MAN HUNT

Geoffrey Household's best-selling, super-thrilling novel of a big-game hunter who single-handedly goes after the biggest game of all—a world-hated dictator!

UNCENSORED

The absorbing adventures of London's gayest master-crook. Suspenseful audience dynamite!

... and 26 OTHER FEATURES

including
4 JANE WITHERS Comedies
4 CISCO KID Adventures

FIRST QUARTER RELEASES

1940-41

(TENTATIVE)

Release Date	Production
August 2	THE GREAT PROFILE
9	STREET OF MEMORIES
16	BRIGHAM YOUNG
23	GIRL FROM AVENUE A (starring Jane Withers)
30	I MARRIED A NAZI (Technicolor Title)
September 6	PIER 13
13	THE RETURN OF FRANK JAMES (in Technicolor)

Release Date	Production
September 20	CISCO KID adventure
27	PUBLIC DEB No. 1
October 4	CHARLIE CHAN IN A WAX MUSEUM
11	DOWN ARGENTINE WAY (in Technicolor)
18	TITLE TO COME
25	THE GREAT COMMANDMENT

THE PRODUCING ORGANIZATION

JOSEPH M. SCHENCK
Chairman of the Board

DARRYL F. ZANUCK
Vice-President in Charge of Production

WILLIAM GOETZ
*Vice-President and Executive Assistant
to Darryl F. Zanuck*

BOL M. WURTELL
Executive Producer

Associate Producers

Harry Joe Brown
Ralph Dietrich
Raymond Griffith
Fred Kohlar
Lucien Hubbard
Nunnally Johnson
Gene Markey
Walter Morosco
Kenneth Macgowan
John Stone

Directors

Otto Brower
David Burton
Irving Cummings
Allan Dwan
John Ford
Eugene Forde

Henry Hathaway
Henry King
Walter Lang
Fritz Lang
Archie Mayo
Irving Pichel
Gregory Ratoff
Shepherd Traube

Writers

Jack Andrews
Michael Blankfort
Edwin Blum
William Brent
Harold Buchman
Dana Burnett
Niven Busch
Robert Carson
Roy Chanslor

Wm. Conselman, Jr.
Irving Cummings, Jr.
William Drake
Albert Duffy
Phillip Dunne
Robert Ellis
Sam Engel
Don Ettlinger
Ruth Finken
J. Taintor Foote
Jules Furthman
Oliver Garrett
Sam Hellman
Ethel Hill
Robert Hopkins
Lee Katz
Fidel La Barba
John Larkin

Hilary Lynn
Helen Logan
Wm. A. McGuire
Frank S. Nugent
John O'Hara
Ernest Pascal
Liam O'Flaherty
Stanley Rauh
Sidney Sheldon
Milton Sperling
Lamar Trotti
Jack Vernon
Darrell Ware
Karl Tunberg
E. E. Verdier
Helen Vincent
Robertson White
Lester Zilfen

THE STARS AND PLAYERS

20th Century-Fox lists on this page only those personalities now under contract. Other established names will be added as casting needs arise. And 20th is making extensive plans for the discovery and development of new talent.

Katharine Aldridge
Don Ameche
Dana Andrews
Lionel Atwill
Binnie Barnes
Anne Baxter
Lynn Bari
Dorris Bowdon
John Carradine
Marguerite Chapman
Ricardo Cortez
Eddie Collins
Bob Conway

Linda Darnell
Jane Darwell
Joan Davis
Alice Faye
Henry Fonda
Virginia Gilmore
Betty Grable
Richard Greene
Charlotte Greenwood
Mary Healy
Sonja Henie
Mary Beth Hughes
Dean Jagger
Brenda Joyce

Arlene Judge
Nancy Kelly
Elyse Knox
Robert Lowery
George Montgomery
Chris-Pin Martin
Ted North
John Payne
Tyrone Power
Ragnar Qvale
Gregory Ratoff
Lynne Roberts
Jean Rogers

Cesar Romero
George Sanders
Randolph Scott
Robert Shaw
Robert Sterling
Frank Swann
Shirley Temple
Ann Todd
Sidney Toler
Joan Valerie
Marjorie Weaver
Arleen Whelan
Jane Withers
Sen Yung

SHORT PRODUCT

26 ONE-REEL SUBJECTS IN SIX DIFFERENT SERIES, PRODUCED BY TRUMAN TALLEY

LOWELL THOMAS' MAGIC CARPET OF MOVIE TONNE

TECHNICOLOR will be used for the first time for some of this series. Without question the finest in its field, popular with showmen and audiences alike, its off-the-beaten-path subject material dramatized by the keen, incisive narration of Lowell Thomas... top-ranking commentator of them all.

ED THORGERSEN'S SPORTS REVIEWS

Authoritative, behind-the-scenes glimpses of America's popular enthusiasm... Sports! Narrated by the man who knows the "inside story"... and enhanced, when deemed effective, by TECHNICOLOR.

LEW LEHR'S BRIBBLE-PUSS PARADE

The screw-ball tangents of American life enlarged and enlivened by the comment of screen and radio funnyman, Lew Lehr.

ADVENTURES OF A NEWSREEL CAMERAMAN

An attraction that thrills as only the real thing can! Heightened in suspense and highlighted by the dramatic narration of famed announcer Paul Douglas.

VIVIAN DONNER'S FASHION FORECASTS

In TECHNICOLOR! The most talked-about reel of all... the most exploitable subject on the screen. Smart... timely... lavishly produced... the absolute tops in feminine appeal—and the men go for it, too. Doubly enlivened by the sparkling comment of Iika Chase.

FATHER HUBBARD'S ALASKAN ADVENTURES

This new and popular series continues... with the Glacier Pilot's cameras exploring Nature's most amazing phenomena! Highlighted by exciting cross-fire narration between Lowell Thomas and Father Hubbard.

... and ...

26 ONE-REEL TERRY-TOONS... 10 OR MORE IN TECHNICOLOR... PRODUCED BY PAUL TERRY

Already in top poll brackets, Terry-Toons is geared to deliver even finer product this season—with 10 or more of its 1940-41 releases in TECHNICOLOR!

MOVIETONE NEWS

ISSUED TWICE EACH WEEK
Published and Distributed in 80 Different Countries and 19 Different Languages!

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LOWELL THOMAS

Chief Commentator

EDMUND REEK

General Manager

LEW LEHR

Humor

ED THORGERSEN

Sports Commentator

RUSSELL MUTH

European Director

VIVIAN DONNER

Fashion Editor

HELEN CLAIRE

Fashion Commentator

There's a Maginot Line in France!
There's a Siegfried Line in Germany!
But there's a Movietone News Line all around the world!... an unparalleled corps of cameramen, editorial specialists, commentators... news-smart, trained, efficient... supplying the demand of theatre millions for authoritative pictorial knowledge of what's going on in these eventful times! Now, more than ever, it is of the utmost importance that your theatre secure the news protection supplied exclusively by Movietone... the greatest news-gathering organization of any kind on earth!

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Chairman of the Board

20th
CENTURY
FOX

SIDNEY R. KENT
President

DIVORCEMENT SHELVED FOR TIME BEING

Washington, May 21.

Unless Congress stays in continuous session on account of the international trouble and threat of war—and perhaps even without them—the Neely theatre divorcement bill has been practically shelved. Hearings are possible but unlikely, in accordance with decisions reached Thursday (16) to wait for the House Interstate Commerce Committee to wind up listening to fees and expenses of the proposed ban on blacklisting.

Appeal of the eight companies named in the New York suit for a delay until after trial was granted when the Senate Judiciary subcommittee asked a long letter protesting the unfairness of forcing the majors to defend themselves against so many simultaneous attacks. Request for a wait of at least 10 months was termed "unreasonable" by Senator Matthew M. Neely, sponsor of both reform proposals, although former Solicitor General Thomas D. Thacher, special counsel for Paramount in the New York proceeding, noted that by the time the House group has ended hearings on blacklisting the companies will be in the middle of trial.

Declaring there is no emergency that necessitates hurried action, the five theatre-dwelling majors cautioned Congress to give careful and complete study of all the facts and factors involved and the consequences in result before approving any legislation that will subject the industry to such fundamental, radical, and far-reaching change in the legal and economic status and structure of the film business.

While it is the right of Congress to conduct investigations with a view to appropriate remedial legislation looking to the future, notwithstanding the pendency of litigation covering the same subject matter, we submit that Congress should avoid a sheer duplication of the investigatory process where the concurrent investigations will interfere with each other and one furnish a diversion of attention from the other and especially where there is an compelling emergency calling into action the legislative process," harriers added.

Besides noting that Congress would have available sworn statements—verified and tested by cross-examination and by the introduction of relevant documents—if it waits for completion of the trial, the attorneys took issue with Assistant Attorney General Thurman Arnold, who told the Senate subcommittee last month that Neely's divorcement bill is simply "reiteration of the common law."

The idea that the latest Neely measure merely puts on the books a principle that has been recognized and enforced by the courts was ridiculed and emboldened by the attorneys. Unable to state what the Assistant A. G. meant, they remarked, "The Supreme Court has repeatedly pointed out that there is no Federal common law," while neither English nor U. S. state courts ever has substantiated theories that general legal practice forbids a manufacturer and a distributor, or either of them, to sell direct to the public by the use of their own facilities.

The other three companies, while they do not own theatres, agreed that consideration of the divorcement bill should be postponed. Columbia, United Artists and Universal said they desired to have hearings deferred until completion of the New York trial in view of the far-reaching consequences to the entire industry of the proposed legislation.

While Neely hopes to make a record that session—even if he cannot force action by the Senate—there still is little likelihood that even a preliminary hearings will occur. Blacklisting hearings are estimated to take another three to five weeks, as long as Congress now plans to stay in session. Adjournment plans naturally hinge on the European crisis, but in the event the session runs beyond the tentative adjournment date (about June 1) legislation will be so pre-occupied with business that it can be disposed of this year they will be likely to become tied up in a long struggle over a bill that has no chance of passage at this time.

'Sitakrieg' Among Comedy Sidelights

Washington, May 21.

The way the Neely hearings are progressing caused a bored press table wag—who's heard it all several times before and knows the speeches by heart—suspected the House Committee is conducting a 'sitakrieg.' It's going that slowly.

Though most of them obviously had been well educated before the hearings opened, some of the House Interstate Commerce Committee members gave the spectators hearty laughs with questions that showed complete unfamiliarity with phases of the subject, insistence to the testimony in past hearings.

One of the best chuckles was credited to Representative Carl Hindshaw of California, who had the questioning and appeared most dubious about the merits of the bill. When Henry R. Atkinson was quoted part of forthcoming book by Morris Ernst, famed free-speech advocate, Hindshaw interjected: "Who is this Bernstein?"

A moment later Representative Martin J. Kennedy, one of the Vandenbergites who identified Ernst better than Atkinson could, became similarly embarrassed. Upon hearing the name Screen Directors' Guild, he wanted to know, "Isn't that the outfit that put on those dirty plays and caused Congress not to vote any more money for them?" Reference was to the Federal Theatre Project, pushed a year ago.

Felice Antagonists

Unusual formality of the House proceedings was commented upon by veteran attendants at blacklisting hearings. At the Senate hearings, the rival field marshals, Charles C. Pettibone of the majors, and Abram F. Myers of the indie, repeatedly jing in to help out their own witnesses, correct the opposition's statements, and wrap sarcastic remarks. With the lawmakers perched behind a circular elevated bench, the House hearing room has the atmosphere of a court, and Myers and Pettibone accordingly waxed their turns to talk for the record.

Entirely by accident, the majors always furnish the lawmakers with a horrible example of Hollywood's illegality law tastes. This year the prize exhibit why exhibitors should be free to reject any objectionable film is "Frisco Park," exploitation of the dramatic premise caused a good many raised eyebrows.

Most invariable witness berater, Representative Luther Patrick of Alabama, rang the bell with several wisecracks. At one point after hearing the bill would allow patrons to get the films they desire, he inquired dubiously: "How? Customers was, 'How do you get things done at home?' Quick-witted Alabamian divined, "I ask my wife."

Par's Probable 50

Pending final decision on schedule for 1940-41, Paramount is considering a program of 50 features, including around eight westerns to be made by Harry Sherman, producer of the Singing Cowboy series. This year (1939-40) Paramount offered 43 regular features and nine westerns.

While the main Par party left New York Monday night (20) for the Coast, Neil F. Agnew, general sales manager, and Joe Unger, eastern dividing manager, flew out in advance Thursday (18). Bob Gilliam left prior to that, making a stop in Chicago.

REO Sales Plans

REO's national sales convention to be held in New York starting Monday (27), will end on Democratic Day (30), but there will be no company-sponsored party for the Fair this time.

Last year, when REO encamped at the Westchester Country Club, N. Y., the whole sales group was perched at the Fair, with the banquet held in the French garden. Banquet this year will be at the Waldorf.

Mons On the Move

Hollywood, May 21.

Monogram is pushing up a production spree to fill up the balance of the 1939-40 program during the next three months.

Spelling Lesson

Washington, May 21.

Note for witnesses appearing before Congressional committees: Members of Congress do not like to be corrected.

When Sidney S. Samuelson, Secretary of the Allied Theatres of Eastern Pennsylvania, spilled out to a member of the House Interstate Commerce Committee the word 'parade' it may have cost the Neely bill a vote.

The Congressman in question, who had not heard Samuelson in the first place, was quick to take offense. Later in Samuelson's testimony, the lawmakers let go with a scorching crack about spelling abilities of the witness. Indicated, however, that being able to spell was of minor importance in influencing a House committee in its contemplation of pending legislation. Particularly when a witness becomes petulant in his manner.

Mpls. Police Supt. Scores Exhibs On Juve Attendance

Minneapolis, May 21.

Charging that many local theatres have failed to cooperate with him in enforcement of the curfew ordinance as a preventive of juvenile delinquency, Frank F. Forester, superintendent of police, has laid down the law to exhibitors.

In a communication to all theatre owners, the chief claims that numerous exhibitors actually encourage children to attend midnight shows and to remain in the theatre after 8 p.m., although the ordinance specifically prohibits the presence of juveniles under 18 after such time unless they're accompanied by a parent or legal guardian.

The chief points out that he sought the exhibitors' cooperation some time ago and he deplores that it has not been fully forthcoming.

"For your information and protection," the chief told the exhibitors, "kindly study the enclosed excerpt from the ordinance so that you may be fully cognizant of the consequences for violation of the regulation."

Lazarus of Allied Quits Because Wife's Amus. Co. Is Tied in With Par

Sudden resignation of Henry Lazarus, as a director of Allied States Amus., and an explanation concerning that action by president H. A. Cole, reveals that Lazarus was indirectly involved with a major chain. Mrs. Lazarus, according to Cole, is interested in the Bryan Amus. Co. of Bryan, Texas, which has a booking arrangement with the Jefferson chain, Paramount affiliate. Jefferson is a large circuit in eastern Texas.

Resignation of Lazarus came to a head after an independent opened a new house, the Campus, near to Bryan and is seeking a reduction of the 45 days clearance that the town of Bryan takes over it in favor of Bryan Amus. Co.

Mrs. Lazarus appeared before the board of Allied last week seeking aid in the clearance controversy and after discussing the situation, she was told the board could take no action in view of the fact Bryan Amus. Co. is tied up with an affiliated chain which is exerting unreasonable protection over an independent. Director Lazarus' resignation followed.

Mecca Labs' \$4,000 Note

Mecca Film Labs, Inc., filed suit yesterday (20) in N. Y. supreme court against Carrol Productions, Inc., Alfred Tramm, Peter E. Kessler and Daniel Carrol for \$4,000 on an unpaid promissory note.

The note was issued by Carrol to Mecca Dec. 15, 1939, endorsed by the other defendants, and payable in January.

Bluenose and Uplift Groups' Gen'l Ignorance of Pix Trade Problems May Fast Help K.O. Anti-Block Bill

Washington, May 21.

Basically-differed desires and objectives of the independent exhibitors and the uplift groups are more likely to kill the Neely anti-blacklisting bill than the big gun opposition of the major producer-distributors and their affiliated theatre-owners. The indie will do well to align off their reformer allies, it appears at the end of last week's House Interstate Commerce Committee hearings on the Senate-approved legislation, and tackle the distribution method from a standpoint of economics, not morality.

First week of House proceedings was an unprecedented bickering around the 'public groups,' who'd like to establish a complete dictatorship over the entire industry, indie as well as majors, as well-placed lawmakers asked searching questions the steady-eyed indie couldn't answer. The lower chamber of Congress was far more curious about existing conditions in the business and the effort of the Neely measure than the hand-picked and warm-hearted Senate committee ever have been.

Ecological

The House skeptics weren't especially impressed by the rudimentary helping about 'community sentiment,' veracious public appetite for better quality screen fare, and the effect of blacklisting on the kiddie. What the Congressmen want to know is how the bill would be enforced, who would determine whether a film conformed to the advance synopsis, what ramifications would there when prints were so 'unreasonable' as to restrain an exhibitor's freedom of selection, why the present censorship arrangement isn't satisfactory, and so on.

Fear that the bill would be unwelcome, knocking the Federal courts with litigation and make Federal judges as post facto censors, was voiced often from the Committee bench.

Persistent interrogations along these lines had the reformers hanging on the ropes. Even Henry R. Atkinson, the Boston lawyer who helped draft the measure, became so flustered he contradicted himself often. The familiar chant about the viciousness of the 'Big Eight' for once didn't stop the flood of queries. Result was that Abram F. Myers, the general counsel of Allied States Association, often showed clearly his perturbation, as the principal opponents—the firms led by Charles C. Pettibone, general counsel for Motion Picture Producers and Distributors of America—beamed.

Female Exhib's Tale of Woe

Virtually the only break that the exhibitors received—with the exception of the close attention paid to Myers' statements—came Friday (17) when a frightened little woman exhibitor from Pennsylvania told the committee about the hardships encountered in a struggle to maintain a tiny motion picture theatre near Wilkes-Barre.

On the verge of tears, Mrs. Daniel Shaver recounted the difficulties which she and her husband had run up against in booking pictures from the major companies. Catering to an agricultural community of 2,000 population, the Shavers have been up against it when their customers have clamored for such pictures as 'Northwest Passage' and the Markey Homer film. Mrs. Shaver said, "The producers have forced them to exhibit sophisticated sex, horror films, such as 'Dionisia' and pictures with a London society background which the Pennsylvania farmers do not care to see, she told the House group. In addition, shorts and out-of-date reversals have been forced upon them and statements from the major companies have told them 'here's your position, take it and like it' when exhibiting a new block of pictures. Mrs. Shaver complained.

"I am interested in your testimony," Representative Patrick of Alabama told the witness. "You are worth a dozen of those professional cronies with come in here and try to take charge of things."

Impression made by Miss Katherine Lyford, executive secretary for the Massachusetts Civil League, was n.g. Referring to question by Representative Hindshaw of California, Miss Lyford said that public organizations

are 'not concerned' with the fate of exhibitors who might get on pictures of the culture of 'Abe Lincoln in Illinois,' only to find that they were handling a 'Beporno.' Important thing would be to bring a film of that type before the public, the Bostonian contended.

"We do not believe that the major issue is killing the theatre," Miss Lyford testified.

Gleason Fathers Painted

A majority of the committee attempted to argue with the involved ladies as to the questionable value of a system where the general public would be forced to see only such pictures as were selected by the local church-and-swing-circle element.

Myers' statement was patterned after arguments used in the past by Allied States Association. On this occasion, however, lawmakers showed an unusual interest in the clause covering what Myers described as "unseemly and suggestive attitudes and expressions as well as well as plain words and direct action." Impossible, according to Representative Smith of Texas to "govern facial expressions by law."

Passage of the Neely bill is imminent, the Allied States association declared, and exhibitors are within sight of the 'promised land.' Delay in passing the bill would be a calamity, Myers said, and would encourage the Big Eight to 'greater and greater measures in suppressing the free independent and in forcing public opinion.'

Monday's Sessions Bag Down; Samuelson's Spiel

Hearings bogged down on Monday (21), with Sidney S. Samuelson, secretary for the Allied Theatres of Eastern Pennsylvania and Southern New Jersey, and exhibitor of Newton, N. J., taking the stand. Legislators were late in arriving and impatient to leave, and quizzing either was desultory, uninteresting or quarrelous.

New a hooker for the Hildinger Circuit, Samuelson told the lawmakers that under the present blacklisting-blind selling system, there is no such thing as a better or the undoubted opportunities of the M.P. P.D.A.'s desire to force any fix they please upon exhibitors. Passage of the Neely bill would result in restoration of competition, Samuelson said, and a great era of prosperity for the industry.

Samuelson took a back-hand slap at films of the type of 'Birth of a Baby.' Described as 'quick-money pictures' those films which have been endorsed by medical associations and told the committee that independent exhibitors do not approve of such films and do not want to book them.

The former exhibitor read off to the committee a list of the box and box attractions and the box biggest flops for each year over the past decade. Biggest puller at Newton was 'Tomb Raider' in 1933, which grossed more than \$2,500 compared with less than \$100 for the Beporno. Samuelson admitted, however, that the list of films included some six that were run for only one day, as compared with three days for the biggest name attractions. "When you give us this, it's hardly a good comparison," retorted Representative Buchanan, of North Carolina.

Although Representative McGowan, of Pennsylvania, suggested sympathy to Samuelson and other members of the bill, his colleague, Representative Wafford, exhibited considerable interest in the collection made from the 175,000 shares in the Allied group. After stating that the organization received \$1 per week from the Eastern Pyrotechnics, Samuelson stated that "out of all the members listed in this room and that a \$1 list was asked in some cases."

Monday hearings would end early after hearing J. E. Chadwick, Los Angeles independent and president of the Independent Motion Picture Association, testify that it would be "impossible" for him to attempt to compete with the big studios. Number of independent producers dropped from 34 to 11 in the past 10 or 12 years, Chadwick declared.

Testify in U.S. Suit

Continued from page 2

booking and what his opinion was on picture by picture selling. Schenck then stated:

"Personally, I believe that to distribute pictures by picture is all companies would place a terrific burden on the exhibitor. As far as the producer is concerned, it would depend on the type of picture he was making. I believe the fastest way to the way we are selling our pictures today. The majority of our pictures are sold on percentage because that does away with a great deal of blood-sucking and buying and selling 'blackboard' style in a great extent. In that case the exhibitor does not know what he is to receive until after it is delivered, and if the picture is poor he takes the rap for it. Under percentage selling, if we make a mistake and spend \$100,000 on a film which does not draw the exhibitor does not lose money by playing it on a percentage. There could not be a better method of selling than on percentage."

"It was a terrific struggle to the beginning, but after a gradual growth of use to use and then more, today we are able to sell mostly that way. United Artists was the first to start it, and they asked a guarantee with a percentage, but we never did. All we received was the straight percentage. Some of our cheaper pictures can't be sold that way. Some exhibitors will not take them at all. No, we do not sell them picture picture; they are smaller budget pictures."

Explains 'Good' Situation

Schenck then explained the "Good with the Wind" situation where Low's received 50% of the gross. He stated that little resistance to this was forthcoming, but a few short-sighted exhibitors had objected.

Balaban & Katz objected in the beginning in Chicago, and Low's sold away from them for a while, but then B. & K. changed its mind and booked the picture in its theaters in Chicago. The results were "terrific," declared the Low's president.

At the outset of the hearing Schenck told of his entry in the business in 1911 with Warren Low, and of his refusal to accept a salary in the beginning because he knew nothing and had to make a job for himself. He amusingly remarked that he had been around a long time and was "an old man." Features came in about 1914, he said, and in 1919 Low's had 30-50 theatres, mostly in N. Y.

Schenck denied an interest in any other companies, but stated he owns a 1/10 interest in two 4th street (N. Y.) theatres which were formerly high houses. One is now a Broadway-operated house, the other a burlesque house, and neither shows Metro pictures. He has had no joint ventures in the film business with his brother Joseph.

Started to Make Better Pix

The acquisition of Metro as a producing company came about in 1939 when Warren Low, feeling the opposition of Famous Players-Lasky, the then best picture-making company, in acquiring theater and with Low's losing Paramount product, felt that a producing company was essential to the company. Metro was making 30 pictures a year, but Low's showed as few of them as possible in its theatres or the quality was not up to par. The theatres had to be forced to show the films.

Goldwyn was producing good films with an independent company in about the same number, had excellent management, and the then best theatre in N. Y., the Capitol, as a merger was arranged. The Low's directors were worried about the poor film being made by Metro, and it was decided to send Schenck to the Court to decide whether or not to liquidate the company. The executive reported that he advised the directors that with L. B. Mayer in charge, the latter then making independent product, he felt Metro could get on its feet. This merger also was arranged.

Low's first-run policy is to deal with old and satisfactory customers. Affiliation of a theatre with a producing company has nothing to do with whether or not the theatre will receive a first run.

Cost of product has increased tremendously he said, and cited that in 1938 Metro's films cost an average of \$100,000 per picture and the past season cost \$200,000-\$300,000 a film. Quality is the reason for this increase. Here the examiner tried to elicit more information from the wit-

ness, who asked Schenck if he would like to picture. When he received an affirmative reply he asked him to improve if quality had not improved tremendously since 1934. "I agree with you about that, I think it's a lot better," the Government questioner remarked sharply.

Schenck then told that when he looks at a picture in 1940, out of 100 he can tell what it will cost. "They tell me I'm pretty good at that thing," he said. "Sometimes other companies will ask me to look at their films and tell them what they will cost."

Tells of Theatrical Acquisitions

Schenck then told of Low's theatrical acquisitions in various spots and the reasons for the acquisition of the theatres. In every case he stated that the picture was just "good business." Some of the spots mentioned were Atlanta, Ohio, the Pitt New England Circuit—when the asking price was \$100,000-\$150,000, but Low's acquired it at much less—Buffalo, Los Angeles, Baltimore, Cleveland, Denver, Memphis, as among the theatres discussed.

Asked what benefits the Low's distribution department receives from its affiliation with the production department, Schenck attributed the gathering in veering from the stereotyped reply and saying "none." "There is no problem about receiving an outlet for Low's pictures, the executive explained, and the explanation given Low's films is no better than that given other companies."

The margin of profit and loss, considering the investment, is not so large," the executive reminded his questioner. Schenck then concluded his testimony with a description of the methods employed in the increasing and handling of stars. He denied the method in existence keeps independent stars from securing players.

Last two witnesses to be examined are Harry M. and Jack L. Warner, scheduled to go on this week.

Judge John W. Clancy yesterday (Tues.) authorized the Justice Dept. to issue writs of subpoena ad testificandum on H. F. Van Pelt, FBI man of Chicago, and George E. Spoor, of the same city, as material witnesses upon whose testimony the Government will depend during the trial of the suit.

GOLDWYN APPEALING FROM DEL. DECISION

Philadelphia, May 21

The U. S. Circuit Court of Appeals this week will hear the appeal of Samuel Goldwyn seeking a reversal of a ruling of Federal Judge John F. Nields in Delaware last Dec. 28 which dissolved his suit to end the distribution of his product by United Artists Corp. Goldwyn charged that UA committed a breach of contract by renouncing to the formation of a separate producing company by the late Douglas Fairbanks and Alexander Korda.

Judge Nields, in dissolving the suit, pointed out that Goldwyn failed to include Fairbanks and Korda as defendants, a point stressed by former U. S. Senator George Wharton Pepper, UA counsel.

In a brief filed yesterday (Mon.) Pepper reiterated this point stating that Fairbanks and Korda were "indispensable parties" to the suit, and asked that the decision of Judge Nields be upheld. If the appellate tribunal, however, found that Korda and Fairbanks "were not indispensable," Pepper contended they were "at least necessary parties."

For this reason any declaratory relief granted in favor of Goldwyn would be bound to prejudice them (Korda and the corporation) and could not avoid complete and final justice terminating all controversy," Pepper declared.

Therefore we submit that the court below (District court) properly exercised its discretion in refusing to entertain jurisdiction and its refusal was wholly consonant with the true purposes of the declaratory judgment act. For both to either of these reasons, it is respectfully submitted that the order of the court below in dismissing the complaint should be affirmed."

Pepper asserted that a judgment in behalf of Goldwyn would, in effect, place Korda and Fairbanks in the position of "contract-breakers" without their having their day in court.

Halposund, May 21.
Closing drive against 1939-40 program continues full blast here, with studios currently leasing 50 features, cutting 21 and sending 10 to go before promised 217 are delivered.

Columbia

	From- led	Com- pleted	Shoot- ing	New Cutting	To Be Shot	Scripts in Work
Features	40	50	4	1	1	1
Westerns	15	1	1	1	1	1
Shorts	4	1	1	1	1	1
Totals	59	52	6	3	3	3

Pictures in cutting rooms or awaiting release:

WEST OF ABILENE, western, producer, Irving Brinkin; director, Ralph Corder; no writing credits released; camera, George Meahan. Cast: Charles Starrett, Marjorie Colley. Some of the Pioneers, Bruce Bennett, George Cleveland, Don Braden, William Foster, Ed Loughlin, John Tyrrell, William Sefton.

KEEP 'EM ALIVE, meller; producer, Larry Darmour; director, Lewis D. Collins; screen play, Albert DeMott; camera, James S. Brown, Jr. Cast: Jack Holt, Vicki Lester, Stanley Fields, Doris Lloyd, Neil Hamilton, Robert Middleton, Robert Carrington, Harry Cording, Theodore Von Elza, John Hamilton.

THE RETURN OF WILD BILL, formerly **BLACK & WHITE VENIANT**, western; producer, Irving Brinkin; director, Joe Lewis; no writing credits released; camera, George Meahan. Cast: Bill Elliott, Iris Meredith, Lorna Walters, Chuck Morrison, Earl Bryant, Bill Kellogg, George Lloyd, Frank Lillian, Jim Coney, Ed Loughlin.

OUT WEST WITH THE PEPPERS, formerly **FIVE LITTLE PEPPERS ARROUD**, drama; producer, Irving Brinkin; director, Charles Barton; original story, Margaret Sydney; camera, Benjamin Kline. Cast: Ruth Peltown, Tommy Bond, Dorothy Ann Brown, Bobby Larson, Charles Fack, Dorothy Peterson, Ronald Sinclair, Victor Kilian, Pierre Watkin, Rex Evans.

GIRLS OF THE ROAD, meller; producer, Wallace MacDonald; director, Nick Grinde; no writing credits; camera, George Meahan. Cast: Ann Dvorak, Helen Mack, Lola Lane, Marjorie Conley, Evelyn Young, Ann Dorn, Madeline Greyson, Mary Smith, Mary Field, Ed Loughlin, Bruce Bennett, Don Braden, John Tyrrell.

THE HOWARDS OF VIRGINIA, formerly **TREE OF LIBERTY**, romance; producer, producer-director, Frank Lloyd; screen play, Jack Shickel; screen play, Sidney Bushman; original, Elizabeth Page; camera, Bert Glennon. Cast: Cary Grant, Martha Scott, Richard Carlson, Sir Cedric Hardwicke, Alan Marshal, Elizabeth Arden.

ARIZONA, western drama; producer-director, Wesley Ruggles; screen play, Claude Bracey; original by Clarence Badstuber; camera, Joseph Walker. Cast: Jean Arthur, William Holden, Warren William, Porter Hall, Paul Harvey, Egna Turner, Edgar Buchanan, George Chandler, Emmett Lynn, Ulysses Valera, Earl Crawford, Colin Taylor, Byron Foulger, Wade Crosby, Syd Saylor, John Cowles, Ralph Peters, Frank Darvon, Nina Campbell, Frank Hill, Earl S. Dewey, William G. Lomax.

BLONDE HAS SERVANT TROUBLE, formerly **BLONDE HEWANE**, comedy; producer, Robert Spork; director, Frank Strayer; screen play, Richard Flournoy; camera, Henry Franklin. Cast: Penny Singleton, Arthur Lake, Larry Burt, Doris Mommers, Daley, Raymond Turner, Jonathan Hale, Walter Soderling, Irving Pichel, Eugene Anderson, Jr., David Maxwell, Mary Jane Carey, Dick Hurst, Tommy Dugan, Frank Moran.

MILITARY ACADEMY, drama, producer, Wallace MacDonald for Irving Brinkin unit; director, D. Ross Lederman; no writing credits; camera, Alan Singer. Cast: Tommy Kelly, Betty Jordan, David Holt, Jackie Starr, Don Beddie, Edward Dew, Jimmy Butler, Walter Tetley, Jess Beardsall.

THE DURANGO KID, western with music; producer, Jack Fies for Irving Brinkin unit; director, Lambert Hillyer; no writing credits; camera, John Bruner. Cast: Charles Starrett, Lorna Walters, Some of the Pioneers, Forrest Taylor, Ben Taggart, Kenneth MacNab, Frank Lillian, Bob Nolan, Francis Walker, Tim Spencer, Steve Clark, John Tyrrell.

Metro

	From- led	Com- pleted	Shoot- ing	New Cutting	To Be Shot	Scripts in Work
Features	51	20	1	1	1	1
Westerns	1	1	1	1	1	1
Totals	52	21	2	2	2	2

Pictures in cutting rooms or awaiting release:

ANDY HARDY MEETS A BENEVOLENT, family comedy-drama; no production credit released; camera, George Bell; screen play, Anne Whitmore. Two Camera; camera, Ed Wagner. Cast: Mickey Rooney, Judy Garland, Lewis Stone, Fay Holden, Carolee Parson, Ann Rutherford, Sara Haden.

THE MORTAL STORM, meller; producer, Sidney Franklin; director, Frank Borzage; based on novel by Phyllis Botten; camera, William Dunlap. Cast: Margaret Sullivan, James Stewart, Frank Morgan, Robert Furst, Don Deely, Jr., Betty Bonetti, Gus Glavin.

ISSAN AND GUN, drama; producer, Hans Strunberg; director, George Cukor; screen play by Rachel Crothers; camera, Robert Frank. Cast: Joan Crawford, Fredric March, Rita Hayworth, Ruth Haver, Rita Quigley, Bruce Cabot, John Carroll, Rose Hobart, Nigel Bruce.

THE PHANTOM RAINERS, formerly **NICK CARTER IN PANAMA**, detective drama; producer, Frederick Stephans; director, Jacques Tourneur; no writing credits released; camera, Clyde DeVore. Cast: Walter Pidgeon, Florence Blinn, John Carroll, Shiff Duna, Joseph Schildkraut, Donald Kirk.

THE CAPTAIN IS A LADY, formerly **OLD LADY**, comedy-drama; producer, Frederick Stephans; director, Robert Siodmak; based on the stage play by Rachel Crothers; camera, George Bennett. Cast: Charles Coburn, Rosalind Russell, Helen Broderick, Virginia Grey, Billie Burke, Marian Bruce.

BURMAN'S BUREAU, drama; being produced in England by Ben Gutz; director, Arthur Haust; original story, Dorothy Sayers. Cast: Robert Montgomery, Christine Cummings, Leslie Banks, Seymour Huns, Robert Newim, Loretta Livingston, Owen Francis Dwyer.

NEW MOON, Richard Romberg scenario; producer, Robert L. Lemaire; director, W. S. Van Dyke II; no writing credits released; camera, Oliver Marsh. Cast: Jeanette MacDonald, Nelson Eddy, Billie Burke, Betsy

With-Fox has stepped well ahead on product earmarked for 1940-41, having 18 starring or co-starring for next season. Paramount is nine ahead for next year, Warner seven, Universal four and Metro three. Other plans are just starting out toward end of picture.

Cast: Buster Keaton, Hal Rosson, Mary Boland, Richard Powell, John Dillon, Grant Mitchell, Claude King.

PRIDE AND PREJUDICE, drama; producer, Hans Strunberg; director, Robert E. Leonard; from novel by Jane Austen; camera, Karl Freund. Cast: Greer Garson, Laurence Olivier, Maureen O'Halloran, Heather Angel, Ann Rutherford, Frieda Inescort, Karen Morley, Mary Boland, Marsha Hunt, Edward Ashley, E. E. Clive.

Metro Pix New in Production

BROWN TOWN, meller; producer, Sam Ziskind; director, Jack Conway; no writing credits released; camera, Hal Rosson. Cast: Clark Gable, Spencer Tracy, Claudette Colbert, Betty Lamont, Frank Morgan, Cliff Wile.

YOU OWN THE WHOLE, drama; producer, Seymour Chusoff; director, Harold S. Bucquet; no writing credits released; camera, Karl Freund. Cast: Lana Turner, John Hodiak, Gene Lockhart, Don Castle, Jane Drummond, Jack Egan, Richard Crane, Shirley Ward.

STREET OF THE NIGHT, musical; producer, Arthur Freed; director, Busby Berkeley; no writing credits released; camera, Ray June. Cast: Mickey Rooney, Judy Garland, Jane Frazee, Betty Jaynes, Douglas McPhail, Paul Silvers, William Tracy, Margaret Earle.

I LOVE YOU AGAIN, comedy-drama; producer, Lawrence Weingarten; director, W. S. Van Dyke; no writing credits released; camera, Oliver Marsh. Cast: William Powell, Myrna Loy, Frank McHugh, Nella Walker, Mickey Quinn, Edmund Lowe, Alfalfa, Donald Douglas.

ONE CAN BE HOME, drama; producer, Albert Levy; director, E. Sylvan Simon; original story, Grace Nichols; camera, William Daniels. Cast: Lewis Stone, Robert Young, William Burt Foster, Maureen O'Halloran, Lyona Carter, Elva Summerfield, Clarence Muse, George H. Reed.

ESCAPE, drama; producer, Lawrence Weingarten; director, Mervyn Lasker; from novel by Ethel Vande; camera, Robert Flamm. Cast: Norma Shearer, Robert Taylor, Bettino, Fella Bennett, Paul Lukas, Brona Bron.

GOLD DUST HARRIS, comedy; producer, J. Walter Ruben; director, Edwin L. Marin; original by Betty Bronhardt and Mary C. McCall, Jr.; camera, Charles Lawton. Cast: Ann Blythe, Lee Bowman, John Hamilton, Virginia Weidler, Mary Nash, Hugh Bessie, Irving Bacon.

Monogram

	From- led	Com- pleted	Shoot- ing	New Cutting	To Be Shot	Scripts in Work
Features	11	11	1	1	1	1
Westerns	10	10	1	1	1	1
Totals	21	21	2	2	2	2

Pictures in the cutting room:

WILD HORSE RANGE, western; producer, Harry E. Wain; director, Raymond E. Johnson; original screen play, Carl Kressel; camera, Edward A. Kell and William Hoy. Cast: Jack Randall, Frank Yaconelli, Phyllis Ruth, Marie Sala, Ralph Hansen, Forrest Taylor, Charles King, Tony London, George Chesbrough, Carl Mathews, Steve Clark.

ANATHEUS DETECTIVE, meller; producer, Howard Winters; director, Howard Winters; original, Joseph West; screen play, Joseph West and Dorothy Reid; camera, Harry Neumann. Cast: Frankie Darro, Martin Moreland, John St. John, Robert Warwick, Mary Korman, Maxine Leslie, Lillian Elliott.

Monogram Pix New in Production

THE LAST ALARM, meller; producer, T. R. Wilcox; director, William West; original screen play, Al Martin; camera, Carl East. Cast: J. Farrell MacDonald, Polly Ann Young, Warren Hull, Mary Gordon, George Fennel, Joel Friedman, Bruce MacFarlane, Eddie Hart.

Paramount

	From- led	Com- pleted	Shoot- ing	New Cutting	To Be Shot	Scripts in Work
Features	43	12	1	1	1	1
M. Sherman	2	2	1	1	1	1
Totals	45	14	2	2	2	2

Pictures in cutting rooms or awaiting release:

SAFARI, drama; UMO production; director, Edward H. Griffith; no writing credits released; camera, Ted Tetzlaff. Cast: Douglas Fairbanks, Jr., Madeline Carroll, Yvonne Crampton, Lynne Overman, Mariel Angell, Frank Vondra, Clinton Rosemond, Thomas London, Fred Gokey, Jack V. Carr, Billy Gilbert, Hans Van Marckart, Doris Jones, Henry Rowland, George Marshall, James Davis, Al Duval, John S. Washington, Ben Carter/Hanna Held, Major Sam Harris, June Greves, Ernest Willson.

GOLDEN GLOVES, drama; UMO production; producer, William C. Thomas; director, Edward Dmytryk; no writing credits released; camera, Henry Sharp. Cast: Robert Ryan, Jean Rogers, Richard Denning, Robert Paige, William Frazer, Edward Brophy.

STAGS COACH WAR, formerly **HELM VON HENSEN**, western; producer, Harry Sherman; director, Leslie Selander; screen play, Norman Houston, based on a story by Clarence E. Mulford; camera, Russell Harlan. Cast: William Boyd, Russell Hayden, Britt Wood, Harvey Stephens, J. Farrell MacDonald, Julie Carter, Nat Robinson, Frank Lockton, Edward Waller, Jack Buckwell.

UNTAMED (Tribalistic); producer, Paul Jones; director, George Archibald; screen play, Frederick Hamill Brown and Frank Butler; based on "Montez" by Sinclair Lewis; camera, Leo Turner. Cast: Ray Milland, Patricia Morison, Akim Tamiroff, William Fraser, Eddy Malton, J. M. Harrison, Esther Dale, Jane Darwell, Ruth Donnelly, Charles Wyatt, Gertrude Hoffman, J. Farrell MacDonald, Sigal Havin, Clem Bevans, Fay Helm, Darryl Hickman, Roscoe Ates.

DOWN WEST MIGHTY, drama; producer, Paul Jones; director, Preston Sturges; no writing credits released; camera, William Miller. Cast: Brian Donlevy, Muriel Angelus, Akim Tamiroff, William Demarest, Allen Jones, Harry Beneshoff, Linky Taylor, Thomas Hall, Gladys Dana, Esther Howard, Louise Kerr, Mary Thomas, Walter Soderling, Harry Hayden, Willas Edmunds, Dorothy Vernon, Gertrude Anderson, Kay Stewart, Jean Phillips.

THE WAY OF ALL FLESH, drama; producer, UMO

actor, producer, Eugene Zukor; director, Louis King; no writing credits released; camera, Theodor Sparkuhl; cast: Allen Tamplin, William Henry, Gladys George, Harriet Anglin, Norma Wilson, James Best, Roger Linstead, Norman Churchill, Douglas Kennedy.

NORTHWEST MOUNTED POLICE, serial in Technicolor; producer-director, Cecil B. DeMille; scene producer, William H. Pine; scene director, Arthur Rosson; original screen play, Alan LeMay, James Lasky, Jr., and C. Gardner Sullivan; camera, Victor Milner, Duke Green; second unit, Dewey Wrigley; cast: Gary Cooper, Madeline Carroll, Paulette Goddard, Preston Foster, Robert Preston, George Bancroft, Allen Tamplin, Leslee O'Brien, Francis McDonald, Monteague Love, Les Chaney, Jr., Regis Toomey, Walter Hampden, James Best, Jimmy Dundee, Lasse Chandler, William Hays, Eileen Lauder, Ralph Byrd, Douglas Bates, John Beach, John Hart, Ted Hayes, Kayser, Maynard, Wally Bell, Jr., Phil Terry, Jack Landon, Bud Gray, Eric Alden, Robert Ireland, Larry Lawrence, Red Cameron, Jack Palance, Steve Carruthers, Jack Chapin, Emory Parnell, Ed Brady, Dick Bush, Walter Shuman, Jeff Davison, Clark, George E. Stone, Ken Thomas, Norma Wilson, Eva Paig, George Regan, Abner Broccoli, Annala Lambert, Chief Big Tree, William Hays, William Bessman, Ted Oliver, Colin Taylor, Douglas Kennedy, Richard Dunning, Robert Ryan, James Flavin, John Morton, Earl Adams, Victor Davis, Harry Semels, Harry Vejar, Tony Patton, Tony Maria, Constant Franke, Fred Malatesta, Pedro Regas, Charles Stevens, Irene Colman, John Laird, Jack Rutherford, Jim Fenn, Donald Curtis, Rene Clark, Bob St. Angelo, Albert Pollard, Tony Martell, Delmar Costello, Louis Hathorn, Clay De Kay, Dave Decker, Dutch Hendrix, Jack Byron, Ed Brady, Sid Itzhak, Hector Stern, Charles Lindbergh, Lee Meyer, Charles Wyatt, Clara Handrich, John Finner, Vera Secord, John Morton, Fay Van Dusen, Jack Clifford, Alvin Price, Paul Sutton, Anthony L. Caron, Julia Faye, Edith Mills, Major Fred Farnell, Cyril Ring, Sam Ash, Jane Ketchley, Mable Johnson, Ray Mala, Monte Hiss, Chief Thunderbolt, Chief Vonbach, Bill Wilkerson, Bill Hadrell, Chief Thunderbolt, Frank Lockness, George Magrill, Max Curtis, Chuck Hamilton.

A NIGHT AT EARL CARROLL'S, musical; GPO production; scene producer, Earl Carroll; director, Earl Carroll; no writing credits released; camera, Les Foy; cast: Ken Murray, Rose Robert, Blanche Stewart, Elvia Allman, J. Carroll Nash, Russell Hicks, William Devlin, Fubing Murray, Ralph Emerson, Allen Caron, George McKay, Lillian Carroll, Jack Norton, Truman Bradley, Beryl Wallace, Ruth Rogers, Betty McLoughlin, John Laird, Sam Ash, Ray Sutton, Mary Lou Cook, Florence McKinney, Wanda McKay, Jean Phillips, Lela Moore, Emory Parnell.

THE ALBION FAMILY IN LIFE WITH HENRY, comedy-drama; producer-director, Theodore Reed; original story and screen play by Clifford Goldsmith and Don Hartman; camera, Les Foy; cast: Jackie Cooper, Lela Moore, Edith Brown, Neida Bremer, Fred Kline, Kay Stewart, Ella McDaniel, Mervyn Hill, Ned Brooks, Josephine Whelan, Faye Watson, Doris Lloyd, Armand Corley, Wright, George Mander, Jack Clifford, Edith Emerson, Lucien Littlefield, Frances Carson, Frank Thomas, Jr., Robert Winkler, Danny Mumford, Ivan Miller, Mary Currier, Thurston Hall, Charlotte Treadway, Winifred Harris, Theodore Van Ets, Stanley Stafford, Ned Cameron, Douglas Faby, Jean Phillips, Lillian West, Sam Ash, Cyril Ring, William Hall, Tina Marshall, Harry Duggan, James Dundee, George Mather, Arthur Stuart Hall, Stanley Mark, Ned Horton, John Laird, Billy Farrington, Jan Beck, Ingomar, Rita Owin, Rene Wade, Mary Allen, Gus Beck, Frances Raymond, Nell Craig, Helen Dickson, Fern Emmett, John Brimmer, Clarence Sadler, Jr., Bonnie Randall, Wanda McKay, Betty McLoughlin, Ruth Rogers, Harry Lamb, Earl Dewey, John H. Elson, George Anderson, Gordon Hart, Harry C. Bradley, Adrian Morris, Francis Mink, George Barton.

A DATE WITH DESTINY, formerly DESTINY, drama; producer, George Arthur; director, Tim Whelan; screen play, Howard J. Green; camera, Ted Tittell; cast: Paul Robeson, John Howard, Martin Radeck, Ellen Drew, Barbara Jo Allen, Ralph Morgan, Katy Kelly, Hugh Southern, Howard Mitchell, Charles McKay, Billy Benedict, Henry Victor, Douglas Bonady, Frances Raymond, Harry Hayden, Harry Bailey, John Laird, James Best, Ben Tugart, Ned Horton, Max Warner, Edward Kerie, Hugh O'Connell, Jean Phillips, Ray Stewart, Wanda McKay, Betty McLoughlin, George Chandler, Norma Varian, James Varian, Laura Treadwell, William J. Kline, Larry McGrath, Billy Wayne, Johanna Morris, George Walcott, Paul Kruger, Phillip Morris, Edith Dunn, Dorothy Dayton.

THE GHOST BREAKERS, comedy-mystery; producer, Arthur Hunkeler, Jr.; director, George Marshall; no writing credits released; camera, Theodor Sparkuhl; cast: Bob Hope, Paulette Goddard, Paul Lukas, Richard Carlson, Anthony Quinn, Pedro de Cordoba, Willie Best, Tom Dugan, David Durand.

QUEEN OF THE MOON, formerly THE WOMAN FROM HELL, serial; GPO production; scene producer, Edward T. Lowe; director, James Hagan; screen play, Harve McCay and William R. Lipman; from J. Edgar Hoover's 'Persons in Hiding'; camera, Theodor Sparkuhl; cast: Ralph Bellamy, Richard Henning, Paul Kelly, William Henry, J. Carroll Nash, Jess Cagner, James Best, John Miljan, Jack Carson, Paul Stevens, Blanche Yelka, Tommy Conby, Charles Murray, Raymond Hatten, Mary Treen, Frank M. Thomas, Ed Carson, Howard Mitchell, John Laird, Neil Hamilton, Robert Ryan, Neida Bremer, Mary Gordon, Lela Roberts, Harry C. Bradley, Lloyd Corrigan, Betty McLoughlin, Laura Treadwell, Ray Gordon, Charles Lane, Charlotte Winters, Herbert Nash, James Flavin, Garry Hugo, Walter Fessner, Bruce Mitchell, Edward Cooper, Edith Fawcett, May Beatty.

I WANT A DIVORCE, drama; producer, George Arthur; director, Ralph Murphy; scene play, Frank Butler; based on a story by Adela Rogers St. Johns; camera, Ted Tittell; cast: Jean Blondell, Dick Emory, Gloria Dickson, Frank Fay, Sidney Blackmer, Jennie Ratch, Harry Davenport, Conrad Nagel, Dorothy Dandridge, Mickey Kuhn, Harry Hayden, Natalie Marlowe, Rachel Witherby, Jean Phillips, Edmund Egan, Lela Lane, Edna Bennett, Pat West, Don Brodie, John Hartley, Virginia McMullen, Ruth Chatterton, Donald Kerr, Emma Tansey, Adela Rogers, Brandon Tyson, George Huntley, Herbert Hackett, Richard Clark, Earl Dewey, Louisa Beavers, Frank Austin, Betty McLoughlin, Elizabeth Valentine, Rosemary Ales, Byron Fugler, Edward Egan, Charles McKay, James Best, Dorothy, Ed Stanley, Archie Twitchell, Frances Mirra, Norma Nelson, Paul Stevens, George Mander, John Kelly, Faye Morris, Eva Paig, Frank Wayne, Dorothy Burgess.

THREE MEN FROM TEXAS (1940-41 release), western; producer, Harry Sherman; director, Lesley Selander; screen play, Norton S. Parker, based on characters created by Clarence E. Mulford; camera, Russell Harlan; cast: Bill Boyd, Russell Hayden, Andy Clyde, Esther Evora, Thurston Edwards, Morris Andrus, Dick Curtis, George Lollar, Glenn Strange, Neyl Marx, Lucia Villages, Davison Clark, Morgan Wallace.

COMIN' ROUND THE MOUNTAIN, comedy; GPO production; scene producer, Bill Thomas; director, George Archambault; no writing credits released; scene

producer, William Miller; cast: Bob Burns, Una Merkel, Pat Barrett, The Old Timer and Goldensleeve (from radio).

RACING ON A DIME, drama; GPO Production; director, James Bentley; no writing credits released; camera, Charles Lang; cast: Robert Paige, Peter Hayes, Eddie Quinn, Frank John, Grace MacDonald, Virginia Dale, Carol Adams, Lillian Cornell, William Francis.

TEXAS, formerly TEXAS RANGERS RIDE AGAIN, western drama; GPO Production; director, James Hagan; no writing credits released; camera, Archie Stout; cast: John Howard, Ellen Drew, May Robson, Frederick Crawford, John Miljan, Charley Grapewin, Anthony Quinn.

RANGERS OF FORTY-ONE, drama; producer, Dale Van Every; director, Sam Wood; no writing credits released; camera, Theodor Sparkuhl; cast: Fred Mar-Murray, Albert Dekker, Gilbert Roland, Patricia Morison, Joseph Schildkraut, Betty Broome, Arthur Allen, Bernard Brelvi, Brandon Tyson, Dick Alexander, Fred Newlan, Charles Middleton.

MYSTERY SEA-RANGER, formerly MYSTERY RANGER, serial (1940-41 release); producer, Eugene Zukor; director, Edward Dmytryk; no writing credits; camera, Harry Fischbach; cast: Henry William, Carole Landis, Debra Stevens.

STORM ON THE RIVER, formerly GHOST MUSIC, musical drama (1940-41 release); producer, William LaVerne; director, Yu. Robertson; no writing credits; camera, Ted Tittell; cast: Bing Crosby, Mary Martin, Basil Rathbone, Oscar Levant, 'Wings' Mann, John Scott Trotter, Oscar Shaw, Brandon Hays, Billy Benedict, George Walcott.

VICTORY, drama (1940-41 release); producer, Anthony Veiller; director, John Cromwell; no writing credits; camera, Les Foy; cast: Fredric March, Betty Field, James Cagney, Margaret Wycherly, Big Boy, Fritz Feld, Rafaela Ottiano, Lionel Barrymore, William Stack.

DOOMED CARAVAN, western (1940-41 release); producer, Harry Sherman; associate, Joseph Engel; screen play, Johnston McCully and J. Dennis Chase; camera, Russell Harlan; cast: William Boyd, Russell Hayden, Andy Clyde, Merna Kennedy, Morris Andrus, George Hawkins, Trevor Bardette, Pat O'Brien, Ray Bennett, Joe Tynan, Martin Garralaga.

RKO-Radio

	From- last	Com- pleted	Shoot- ing	New Cutting	To Be Shot	Script in Work
Headline	11	10	4	4	4	2
Wendell	1	1	1	1	1	1
Not Lower	1	1	1	1	1	1
The Play's	1	1	1	1	1	1
Go Thing	1	1	1	1	1	1
Play & Play	1	1	1	1	1	1
Corp.	1	1	1	1	1	1
Major Pictures	1	1	1	1	1	1
(English)	1	1	1	1	1	1
Harold Lloyd	1	1	1	1	1	1
Stephens	1	1	1	1	1	1
Lady	1	1	1	1	1	1
Barb Marne	1	1	1	1	1	1
Paul	1	1	1	1	1	1
Wall Flower	1	1	1	1	1	1
Total	11	10	4	4	4	2

Pictures in cutting rooms or awaiting release:
THE BROWN SCHOOL DAYS, a The Play's Thing production; producer, Gene Yvonne and Graham Baker; director, Robert Stevenson; story, Thomas Hughes; adaptation, Walter Ferris; camera, Nick Marzani; cast: Bill Cedric, Harold Lloyd, Freddie Bartholomew, Jimmy Lydon, Josephine Hutchinson, Ernest Cossart, Gale Stone, Billy Halop, Hughie Green, Polly Moran, Alec Craig.

HOME OF WINDY POPLARS, drama; producer, Cliff Reid; director, Jack Rivett; adaptation, Michael Kassin and Jerry Cady from novel by L. M. Montgomery; camera, Frank Redmond; cast: Anne Shirley, James Ellison, Bruce Travers, Patric Knowles, Louise Campbell, Slim Summerville, Ethel Griffen, Minnie Dupree, Katharine Alexander, Alma Kruger, Joan Carroll, Maria Mae Jones, Ely Malyon, Cara Jandick.

FRANKE LAW, formerly LONE STAR LEGION, western; producer, Bert Glynn; director, David Howard; screen play, Doris Schreiner and Arthur Jones from original by Bernard MacDonnell; camera, Harry Wild; cast: George O'Brien, Virginia Vale, Dick Hogan, J. Farrell, MacDonald, Slim Whitaker, Paul Devlin, Gus Ransay, Henry Hall, Billy Franey, Bud Osborne, Monte Montague, Carl Stockdale, Farris Taylor, Ruthe Burns.

THE VILLAIN STILL PURSUED HIM, comedy-mystery; Harold B. Franklin production; director, Edward Chase; screen play, Elbert Franklin; based on the play, 'The Fallen Seed,' produced at Boston Music in 1944; camera, Lucien Ballard; cast: Hugh Herbert, Anita Louise, Alan Mowbray, Buster Kratos, Joyce Campbell, Richard Cromwell, Billy Gilbert, Margaret Hamilton, John Wray, Franklin Pangborn, Dana Fisher.

MILLANBACHES IN PRISON, serial; producer, Howard Benedict; director, Ray McCarey; original, Martin Monney; adaptation, Frank Fortin and Lynn Root; camera, Harry Wild; cast: Lee Tracy, Linda Hayes, Virginia Vale, Truman Bradley, Cid Edwards, Morgan Conway, Paul Guilfoyle, Thurston Hall, Sherry Howard, Chester Chase, Selma Jackson, Horace McMahon, Elliott Sullivan, Thomas Jackson.

THOUSAND DOLLAR MARRIAGE, comedy; producer, Bert Glynn; director, Lay Goodwin; screen play, Charles E. Roberts from original, Arthur Beck; camera, Jack McKinnis; cast: Lena Horne, Donald O'Keefe, Adelle Patrice, Walter Catlett, Marjorie Gaten, Erskine Sanford, Tom Kennedy, Robert McGowan, Effa Bennett, Frank Fay, John Sheehan.

LUCKY PARTNERS, formerly BOB CHANCE; producer, George Haight; director, Lewis Milestone; screen play, Allan Scott from play by Sacha Guitry; camera, Robert DeGrasse; cast: Ronald Colman, Ginger Rogers, Jack Carson, Spring Byington, Billy Gilbert, Lew Brown, Eddy Conrad, Lucie Arnoux, Slim Howard, Benny Rubin, Andrew Tomba, Tom Dugan, Helen Lord, Alex Neikirk.

BREAKING UP LET LOUD, formerly MONEY IN EVERYTHING, comedy; a Vito Production; producer, Jack Valian and Sam Caskin; director, Harold Young; original, Bob Andrews and Barry Trivers; screen play, Andrews, Trivers and Howard Green; camera, Phil Tassara; cast: Leon and Albert, Frances Langford, Frank Craven, Billie Malloy, Irving Berns, Robert Wilcox, Donald Briggs.

DR. CHRISTIAN MEETS THE WOMEN, formerly DR. CHRISTIAN'S DEED, drama; a Stephens-Lang Production; producer, William Stephens; director, William McGowan; original screen play, Marion Orth; camera, John Allen; cast: Jack Haddock, Edgar Kennedy, Dorothy Lavett, Frank Albertson, Rip LaFarge, Vera Ann Borg.

DANCE, GIRL, DANCE, formerly HAVE IT YOUR OWN WAY, formerly ONE OF HIS GIRLS, (Continued on page 27)

Inside Stuff—Pictures

Betty Field, ingenue lead in Paramount's production of Joseph Conrad's 'Victory,' is being put through a strenuous workout getting ready for shooting. Her part is that of an English concert pianist, so she's spending almost all her waking hours listening to records and sound tracks to acquire an accent, besides taking several hours' daily piano lessons. As a temper, she's to wear a starring in one episode of the picture.

Margaret Webster, high actress and director who staged the Maurice Evans-Shakespeare productions, will make her screen debut in an important supporting part in 'Victory.' She's on a unique contract to Paramount, calling for her to spend several months in Hollywood familiarizing herself with picture production, with the idea of becoming producer-director for the studio.

William LaVerne received \$1500 in cash settlement of his plagiarism suit against Warner Bros., which had gone through the lower courts and was up for hearing in the Court of Appeals in Albany. Warner's also lost the suit under the settlement made out of court.

LaVerne's suit was based on two stories which he wrote in 1933 and submitted to Warner, 'Behind the Manner' and 'Lucky at Love,' claiming they had been lifted in the production, 'Behind the Manner' and 'Goddard Lady,' made by WB. The suit was originally brought in 1935. LaVerne is with the North American Newspaper Alliance.

Growing practice among Hollywood agents is to hire name writers of stage and screen to prepare film years in script form to stimulate sales to the studios. In many instances the writers have brought completed interplays, which naturally added zest to their salesmanship, particularly when they had their own player clients tied up with the negotiation. Among the agents peddling shooting scripts are Myron Selznick, Berg-Albionberg and Music Corp. of America.

'Back Street Rides Again,' in its fourth week over at the Paramount, N. Y., sagging of the Pat chain, becomes the only picture in the 13 years of operation to play four weeks. Majority of the films that have gone beyond three have done so since 1935 when the present all-band policy was inaugurated, those pictures being 'Artists and Models,' 'Wells Fargo,' 'If I Were King,' 'Union Pacific,' 'Gulliver's Travels' and 'Road to Singapore.'

Bring that Dimension Day (May 26) and the Fourth of July fall on Thursdays. RKO has decided to throw in Friday in both cases for a four-day weekend but is not giving the same office employees both Fridays. One-half of the S. A. group takes one of the four-day weekends, the balance the other.

Milwaukee Film Body Refuses to Rescind Its OK on 'Prisoner'

Milwaukee, May 21.

When a flood of complaints poured into Mayor Carl F. Zedler's office following the initial showing of 'Prisoner' at the Fox Palace, he asked the motion picture commission to re-consider its approval, and anticipated that the OK given the film would be withdrawn and its showing halted. However, the commission, which consists of nine members, held a meeting and decided to stand pat. Now the Mayor demands that the commission be abolished and that a new commission be established and given the power of censoring objectionable pictures.

When Mayor Zedler was informed Wednesday (21) that the commission refused to alter its opinion regarding 'Prisoner,' and in fact told the picture 'deserved considerable praise for its delicate and artistic treatment of its subject,' he was immediately piqued. He immediately asked City Attorney Walter J. Hamilton for a legal opinion on the powers and duties of the commission. He received it Friday (23), and learned that the commission was merely an advisory body, empowered only to ask exhibitors to delete parts of pictures considered objectionable, but with no power of enforcement.

Thereupon the mayor announced he would urge abolition of the present commission, and ask the common council to pass an ordinance more in keeping with his idea of what a commission should be.

'Prisoner' is the headline featured in the first run at the Palace, so the Fox people, to accommodate all those who wanted to see what the picture was all about, moved it across the street to their Strand for an extended first-run.

A. A. Y. Deane Committee

San Antonio, May 21.

A motion picture censorship commission was announced here at a session of the city council last week. In the announcement, Mayor Maury Maverick stated that the board's duties would be advisory but that there will be no previous censorship of pictures by the group. It was further stated that these pictures were pre-approved by a national voluntary board.

If a picture is brought to this city that violates the rules of decency, charges would be filed on advice of the censorship board. The inspection of all local theatre men will be sought.

Committee is headed by Mrs. Dave Vinton, who is in charge of censorship of shows for the city.

EARLY AFM-WB SETTLEMENT STALLS

Philadelphia, May 21.

Hope for an early settlement of the controversy between the American Federation of Musicians and the Stanley-Warner circuit has faded with the coming of the summer season.

Even if both sides could be brought together to iron out their differences—which appears virtually impossible at this writing—it is hardly likely that the Warner chain would attempt to revive trade in the midst of the dog days—traditionally the worst season in the year for show biz.

'We'd hardly tempt Providence at the Earle this summer even if we could get together with the musicians,' a Warner official said. 'When we were forced to pass up the most profitable months in the winter and early spring, it's not likely that we'll do anything in the vacuo line at least until fall.'

Meanwhile officials of the Philly local of the Musicians union were marking time until the national AFM convention next month before taking their next step. At the parley delegates of Local 77 are expected to take the floor and demand that the national AFM body call a general strike of musicians at all Warner theatres and at the production centers in Burbank, Cal. Representatives of the Philly local are also expected to ask that all allied AFL unions like the projectionists, ranchers, etc., support them in their fight against the Warner chain.

The union and Warner have been at odds since last December, when the circuit dropped its musicians at the central-city Earle and Fox and six others. The union has demanded that all the men be rehired, while the management insists on the right to hire musicians only in theaters which will follow a code policy.

ADD: B.O. OPPOSITION, DET.'S TWILIGHT RACES

Detroit, May 21.

For the next three months the twilight horse races at the Michigan State Fairgrounds are going to attract plenty of business from the street. Returning to the system which last year produced a vast race-track following, the Fair again will start its schedule of seven races at 4:30 p.m., running them out well in the evening, too late for show going. Making it worse there are two free ladies' days, Tuesday and Friday.

As Major Rogers in
"Northwest Passage"**GREAT!**As Father Flanagan
in "Boys Town"**GREAT!**As Gunner in
"Test Pilot"**GREAT!**As Mamel in
"Captains Courageous"**GREAT!**As the Gallant Priest
in "San Francisco"**GREAT!****CLARENCE BROWN'S**

Metro-Goldwyn-Mayer

PRODUCTION

SPENCER TRACY'S GREATEST PERFORMANCE EDISON, THE MAN

with Ellen Johnson, Lynne Overman,
Charles Coburn, Gene Lockhart, Harry
Trevan, Folia Bressart • Screen Play by
Tallat Jennings and Brodbery Foote
A Metro-Goldwyn-Mayer Picture
Directed by Clarence Brown
Produced by John W. Conline Jr.



THE PRESS PREVIEW DOES HAND-SPRINGS!

In his performance of the title role of "Edison, The Man," Spencer Tracy clinches his nomination for another Academy Award. M-G-M does itself and the industry proud with a tribute to the man who invented the medium which now helps to celebrate him.

—Hollywood Reporter

★ ★ ★

"Edison, The Man" takes its place as one of the superior motion pictures. Spencer Tracy supplies one of his strongest performances.

—Edwin Schallert, Los Angeles Times

★ ★ ★

Every man, woman and child in the world should see "Edison, The Man."

—Hedda Hopper, Columnist

★ ★ ★

By every measure a splendid and memorable production, destined to take its place amongst the important pictures of the year. A truly great performance. A picture of distinction and commercial promise.

—Dolly Variety

One of year's finest films, superbly produced, directed and acted. M-G-M has one of the truly memorable pictures of the year. By virtue of its strength and appeal, circuits and exhibitors everywhere are certain beneficiaries, as is the public far and wide. Spencer Tracy's performance will surely command most serious consideration on the part of those who vote the coveted Oscars of 1940. It's a box-office power-house.

—Film Daily

★ ★ ★

A commanding screen work...compellingly impressive. A fine piece of box-office merchandise. Spencer Tracy's portrayal is his best performance. The preview audience was completely captured by the film.

—M. P. Daily

★ ★ ★

One of the most interesting productions I've seen. I don't remember when Spencer Tracy ever gave a better performance. A truly unusual film.

—Jimmy Starr, Los Angeles Eve. Herald and Express

Slot-Machine Actor Boom

(Continued from page 1)

ing and dining. Others will be used for off-stage dining.

The possibilities of training under available directors, experience they cannot get at home in feature films, will be of great advantage to the performer trying to win a place in motion pictures. The slot players will give them widespread explanation.

A new law that will hit independent rating agencies, in that which they have been collecting commissions for booking extras for independent producers. It also will stop practice of taking up collections to pay parents for directors and assistant directors. This custom has been prevalent for several years, particularly on location.

Harry Mays, Bud Lawler, Charlie Graham and Bill Sawdell have been elected to the SAG Council in 31 victories caused by the death of Earl Asham and the resignation of Patricia Patrick, Frank Edwards and Elliott Sullivan.

The SAG has started publication of a monthly magazine given the title of *The Actor*. The June issue will be opened to advertising, but no advertisements will be accepted from motion picture companies or actors.

Negotiations between the Screen Writers Guild and Producers get today was this week. M. B. Sillerton is writing as chairman of a group of attorneys handling papers for the major companies, and proxy Sheridan Gibney is directing negotiations for the Guilders. Allen says Alfred Wright, George Cohen and Homer Mather will sit in with Sillerton. Other members of the SAG committee are Charles Bruckert, Boris Ingster, Sidney Buchman, Mary C. McCaff, Jr., and Dore Schary. The attorney group met yesterday (Mon.) to start studying the draft of SAG proposals. A meeting with the writers will be arranged later this week.

The SAG did not set a minimum wage in its demands, but stated that job security, with the necessity of establishing certain minimum guarantees of wages and employment, was the major problem facing producers. The majority of writers favor a minimum wage of \$120 weekly regardless of the experience of a writer. They also are asking that where a writer is employed on a week-to-week basis, he be given a guarantee of at least two weeks employment. The writers also want advance notice of 30-60 days when a option is to be lifted or passed.

The Producers have already indicated they will turn down the SAG request that all film deals involving less than \$5,000 be prohibited. The option clause also will come in for considerable discussion, as well as claim of writers to ownership of material turned out during layoff periods. The writers, however, are willing to waive their demand for a one-year part if an agreement can be reached on their major proposals.

San Outside Labor Ties

The Hollywood Guild Council, an amalgamation of studio guilds and numerous unions, is placing a ban on any affiliated group joining an outside labor organization without first consulting the Council. Move is said to have been planned to prevent affiliated groups from any outside merger with a national labor organization that might jeopardize Council policies. Groups invited to affiliate include the Screen Publishers Guild, Screen Writers Guild, Screen Set Designers, Script Clerks Guild, Screen Bonders Guild, Screen Office Employees Guild, and Society of Motion Picture Film Editors.

Kenneth Howard, national organizer for AGVA, spent the weekend here planning a membership drive in the Pacific Northwest. He conferred with attorney I. B. Karsel and Kenneth Thomson, executive secretary of the SAG. A fund of \$5,000 has been advanced by SAG and Actors Equity Association, with a promise of additional money if needed.

A meeting of the Producers-Labor negotiating committee will be called by proxy Y. Frank Freeman, the last of this week to set a date for resuming negotiations with the American Federation of Labor Conference of Studio Unions. The meeting was requested by J. W. Buzzell, who is acting as Conference chairman during the absence of Willie Hall, sitting out a six months jail sentence in Chicago on a pandering rap.

Conference demands are expected to include requests that American

Federation of Office Employees be recognized as bargaining representative for Central Casting Corp. employees and white collar workers in various offices. A demand for a 10% wage increase for a closed shop in Central, with a minimum of \$25 per week for clerks and \$75 for visiting directors. Conference leaders take the position that request of the Producers for termination of recent 10% wage increase is a direct cause despite loss of foreign business because of spreading war conditions.

A slight increase in employment in studios is reported by business heads of various unions. Joseph Tuck, business representative of Studio Transportation Drivers Local 280, said group had few new jobs and that several times recently the union experienced difficulty in filling all calls for men.

Take-Box Littermen

October, May 21

Advertisers and "victims" of target machines are now under city licensing in Detroit.

Patenting and that photographs and target games were not widespread amusements when the ordinances were designed a few years ago for license games, sometimes have made the older laws more extensive.

The new ordinance authorizes the mayor to issue an annual license for the machines at a fee of \$10 each and provides penalties of \$100 fine, 90 days in jail, or both for violations.

Browne

(Continued from page 1)

The International Alliance of Theatrical Stage Employees and the Motion Picture Machine Operators of the United States and Canada, at a meeting held in Chicago, Ill., on April 28, 1940, as follows:

1. The President of the International Alliance is hereby authorized and empowered to take all legal measures which in the discretion of the said international president are advisable to protect the rights and interests of the International Alliance in all such proceedings which are or may be initiated by or against the Alliance or its officers, representatives, agents, employees or affiliates.

2. The President of the International Alliance is hereby authorized and empowered to sue such sums out of the general fund of the Alliance which in the discretion of the said international president shall be advisable for the protection of the interests and rights of the Alliance, or its officers, representatives, agents, employees or affiliates in all such proceedings.

3. The general secretary-treasurer of the International Alliance is hereby authorized, empowered and directed pursuant to instructions in that regard of the international president to withdraw and make available from time to time such sums out of the said general fund as determined by the international president, which are needed to carry out the purpose of this resolution, and a proper audit thereof shall be made from time to time as provided in the constitution and by-laws of the International Alliance.

Action under the wide powers given to George Browne may come at any time, possibly before the national convention to be held in Louisville next month, but whether it does or not the matters concerned will be one of the big things of the month. Just what is moving is not known inside the inner circle, but there is much conjecture as to what move it is to be taken. Label suits, as well as defamatory of character damage suits, are being stated at in the group.

Total War

(Continued from page 1)

credited credit at U. S. product. Nearly 200 American pictures were distributed in Belgium during 1939. Recently there are about 2,000 theaters, with sound equipment, in the area fully all the war, distributed as follows: Belgium, 1,000; Denmark, 774; Netherlands, 572; and Sweden, 741.

Indications in N. Y. are that if London is "locked" out of American distribution companies will move their efforts to the west coast of England, near Wales.

Advance Production Chart

(Continued from page 21)

Drama; producer, Rick Pinner. Director, Ray Del Ruth; original, Vicki Baum; adaptation, Tom Sawyer and Frank Davis; camera, Joseph August. Cast: Maureen O'Hara, Lums Haywood, Lucille Ball, Virginia Field, Carl Edmund, Mary Carlisle, Maurice Maerovich, Katherine Alexander, Harold Huber, Ed Murphy, Louis Storch, Ernest Truza, Chester Chase, Lela James, Lorraine Kruger, Emma Dunn.

CHICK COUNTRY ROMANCE, drama; producer, Cliff Reid; director, Frank Woodruff; novel, Elmore Brown; adaptation, Jerry Cady and Bert Grant; camera, Ray Hunt. Cast: Gene Raymond, Wendy Barrie, Barton Churchill, Hobbs Hyman, G. P. Huntley, Billy Gilbert, Tom Hagen, Tommy Mack, Edgar Dearing, Frank Kelly.

STAGE IN CHINA, western; producer, Bert Gilroy; director, Edward Kelly; original, Norton S. Parker; screen play, Morton Green and Arthur V. Jones; camera, J. Ray Hunt. Cast: George O'Brien, Virginia Vale, Robert Cavanaugh, Gloria Strange, Harry Cording, Martin Garralaga, William Hanks, Ray Barrett.

Republic

	From- last week	Com- pleted	Shoot- ing	New Cutting	Not in Work	Scripts in Work
Features	14	17	2	1	1	2
Westerns	14	13	1	1	1	0
Serials	1	1	0	0	0	0
Totals	29	31	3	2	2	2

Pictures in cutting rooms or awaiting release.

BOOTH'S DON'T TELL, drama; producer, Ed C. Nugent; director, Bernard Vorhaus; original screen play, Dave Anderson; Joseph Mancure Mays and F. Hugh Herbert; camera, John Allen. Cast: Charles Coleman, John Wayne, Sigrid Gurie, Spencer Charters, Mary Field, Bryan Foy.

WAGNER WESTWARD, western drama; producer, Armand Schaefer; director, Lew Landers; original screen play, Joseph Mancure Mays; Harrison Jarbo; camera, Ernest Miller. Cast: Chester Morris, Anita Louise, Buck Jones, Douglas Fowler, Osa Massen, George Gabler, Harry, Quinn Tait, Roy Williams.

GRAND OLD SPY, comedy with music; producer, Armand Schaefer; director, Frank McDonald; original screen play, Everett and Stuart McGowan; camera, Jack Marks. Cast: Weaver Brezina and Elvira and Lorena Weaver, Lela James, Henry Barker, John Hartley, George Ray, Uncle Dave Maize, Doris May, Rachel Vach, Roy Auld, and His Smokey Mountain Boys, Earl Denny, Ferris Taylor.

CARSON CITY KID, western with music; producer-director, Joseph Kane; original screen play, Robert M. Yost and Gerald Gershwin; camera, William Nudis. Cast: Ray Rogers, George (Gaby) Hays, Pauline Myers, Francis MacDonald, Bob Steele, Hank Berry, Jr., Hal Talbot, Hank Bell, Ted Mates, Chester Cox, Jack Hall, Al Taylor.

THE GIRL FROM OGG'S COUNTRY, thriller; producer, Armand Schaefer; director, Sidney Salkow; original by Ray Milland; screen play, Elizabeth Matheson, Robert Lee Johnson and Malcolm Stuart Boylan; camera, Jack Marks. Cast: Chester Morris, Jane Wyatt, Charles Rockford, Ray Mala, Rosine Gail, John Hoffer, Don Delany, Ferike Norma, Mame Clark.

UNTILLED WESTERN, producer-director, George Sherman; original screen play, Bronson Coburn and Jack Nuttall; camera, Reggie Lanning. Cast: Don Barry, Bob Taylor, Carlton Young, Janet Waldo, Majed James H. McMillan, George Cleveland, Ed Cade, Rex Lewis, Ray Hunt, Charles King, William Kallings, Savannah, Guy Usher, Bob Fraser.

SCATTERBRAIN, comedy musical; producer-director, Gus Mainer; original screen play, Jack Townley and Olive Cooper; additional dialog, Paul Cavan, camera, Ernest Miller. Cast: Judy Canova, Alan Mowbray, Eddie Foy, Jr., Isabel Jewell, Joseph Cawthorne, Wallace Ford, Emmett Lynn, Lela Aurnall, Ruth Donnelly, Jimmy Day.

CARLENA MOON, western with music; producer, William Berke; director, Frank McDonald; no writing credits; camera, William Nudis. Cast: Osa Auld, Shirley Burnette, John Barry, Mary Lee.

20th Century-Fox

	From- last week	Com- pleted	Shoot- ing	New Cutting	Not in Work	Scripts in Work
Features	11	14	1	1	1	2
Serials	1	1	0	0	0	0
Totals	12	15	1	1	1	2

Pictures in cutting rooms or awaiting release.

SARAH'S LADY, drama; producer, Ed M. Wurtzel; director, Allen Davis; no writing credits released; camera, Ernest Palmer. Cast: Nancy Kelly, Jim Hall, Jean Davis, Katherine Aldridge, Dana Andrews, Wally Verbeke, Gladys Blake, Charles H. Brown, Selmer Jackson.

EASTBOUND, drama; producer, Ed M. Wurtzel; director, Irving Pichel; screen play, John Howard Lawson, Samuel J. Engel; based on story by Basil King; camera, Lucien Andriot. Cast: Warner Baxter, Andrea Leeds, Lynn Bari, Henry Williams, Charles Grapewin, Elizabeth Patterson, Russell Hicks.

STREET OF MEMORIES (1940-41 release), drama; producer, Lucien Andriot; director, Shepard Tinsley; no writing credits released; camera, Charles Clarke. Cast: Guy Kibbee, Lyne Roberts, Paul Hurd, John McGuire, Robert Cavanaugh, Ed Gurnea.

GIRL FROM AVENUE A, formerly THE BEAT, comedy-drama (1940-41 release); producer, Ed M. Wurtzel; director, Otto Brower; no writing credits released; camera, George Barnes. Cast: Jane Withers, Kay Taylor, Ede Koss, Katherine Aldridge, Jennie Ray, Laura Hope Crews, Rand Brooks, Alma Kruger, Harry Shannon.

YOUNG PEOPLE (1940-41 release), drama with music; producer, Harry Joe Brown; director, Allan Dwan; no writing credits released; camera, Arthur Miller. Cast: Shirley Temple, Arthur Hodge, George Montgomery, Charlotte Greenwood, Jack Oakie.

GIRL IN MIL, formerly MILLION DOLLAR DEATH, drama; producer, Ed M. Wurtzel; director, Ricardo Cortez; no writing credits released; camera, Edward Croninger. Cast: Rex Taylor, Florence Rice, Joan Valerie, Elyn Ross, Katherine Aldridge, Dorothy Dearing.

MARYLAND, drama in Technicolor; producer, Gene Marking; director, Henry King; no writing credits released; camera, George Barnes, Ray Rossmore. Cast: Walter Brennan, John Payne, Brenda Joyce, Fay Bainter, Marjorie Weaver, Charles Buggles, Hattie McDaniel, Robert Blackmore, Ben Carter, Zach Williams, Robert Lowery.

RAIN OR SHINE (re-make of RAIN BLOOD (1934-41 release); producer, John Stone; director, David Burton; no writing credits released; camera, Virgil Miller. Cast: Virginia Gilmore, Joan Davis, Robert Sterling, Ed McDonald.

LUCKY CHUCK KID, western, producer, John Stone;

director, H. Bruce Humberstone; no writing credits released; camera, Lucien Andriot. Cast: Grant Sumner, Evelyn Venable, Mary Beth Hughes, Chris-Pine Martin, Dana Andrews, Willard Robertson.

FOUR SORE, drama; same, producer, Harry Joe Brown; director, Archie Mayo; no writing credits released; camera, Lums Haywood. Cast: Dana Andrews, Mary Beth Hughes, Allen Curtis, Eugene Lesterlych, George Ernest, Robert Lowery, Lela James, Ludwig Stange, Vernon Meyer, Sig Ruman, Christian Rub, Richard Kramert, Eleanor Wenthurst, Greta Meyer, Egan Archer.

ELSA MAXWELL'S PUBLIC MEN 1, comedy-drama (1940-41 release); producer, Gene Marking; director, Gregory Ratoff; no writing credits released; camera, Ernest Palmer. Cast: George Murphy, Brenda Joyce, Blanka Alay, Charlie Ruggles, Elsa Maxwell, Ralph Bellamy, Marie Ransdorn, Barton Churchill, Franklin Pangborn, Lloyd Corrigan.

PIER 13 (1940-41 release), drama; producer, John Stone; director, Eugene Ford; no writing credits released; camera, Virgil Miller. Cast: Lynn Bari, Lloyd Nolan, Douglas Fowley, Robert Lowery, Joan Valerie, Chick Chandler, Gene O'Brien.

1940-Fox Film in Production

BRIGHAM YOUNG, drama (1940-41 release) producer, Kenneth Macgowan; director, Henry Hathaway; screen play, Lester Triff; based on story by Louis Brandford; camera, Arthur Miller. Cast: Tyrone Power, Linda Darnell, James Jagger, John Cawthorne, Bryan Donlevy, Jane Darwell, Joan Rogers, Maurer Ogan, Willard Robertson, Mary Astor, Vincent Price.

THE RETURN OF FRANK JAMES, in Technicolor (1940-41 release) producer, Kenneth Macgowan; director, Fritz Lang; no writing credits; camera, George Barnes and William Shaik. Cast: Henry Fonda, Andrew Lums, Jackie Cooper, J. Edward Broderick, Henry Hull, Donald Mack, Eddie Collins, John Carradine, Charles Tannen, Ernest Whitman.

I MARRIED A NAZI, thriller (1940-41 release), producer, Raymond Griffith; director, Irving Pichel; original story, Oscar Schlegel; camera, Fawcett Marley. Cast: Jane Bennett, William Gargan, Frances Lederer, Anna Glen, Johnny Russell.

THE BRIDE WERE COUPONS, comedy-drama (1940-41 release); producer, Lucien Andriot; director, Shep Thayer; no writing credits; camera, Charles Clarke. Cast: Ted North, Lyne Roberts, Lela Standen, Robert Armstrong, Edgar Kennedy, Richard Lane, Edmund Macdonald, Anthony Quinn, Stanley Rogers, Harry Tyler, Murray Alper, Lester Schart.

United Artists

	From- last week	Com- pleted	Shoot- ing	New Cutting	Not in Work	Scripts in Work
Goldwyn	1	2	0	1	0	0
Reliance	1	1	0	0	0	0
Wenger	1	1	0	0	0	0
Chaplin	1	1	0	1	0	0
Busch	1	1	0	0	0	0
(Laurel)						
Hardy	1	1	0	0	0	0
Boyd	1	1	0	0	0	0
Ed Smith	1	1	0	1	0	0
Leary						
Lasker	1	1	0	0	0	0
B. Fairbanks	1	0	0	0	0	0
B. L. Lee	1	0	0	0	0	0
Totals	10	12	0	2	0	0

Pictures in cutting rooms or awaiting release.

THE WESTERNER, western drama; producer, Samuel Goldwyn; director, William Wyler; no writing credits released; camera, Gregg Toland. Cast: Gary Cooper, Walter Brennan, Fred Stone, Doris Davenport, Dana Andrews, Tim Tully, Virginia Gilmore, Paul Hurst, Lela Tover, Forrest Tucker, Chas. Witte, Charles Hallen.

SOUTH OF FAGO FAGO, formerly FAGO FAGO, drama; producer, Edward Small; director, Alfred E. Werker; no writing credits released; camera, Russell Harlan. Cast: Victor McLaglen, Joe Hall, Frances Farmer, Gene Lockhart, Glynnis Braden, Douglas Dumbrille, Ben Wilson, Albert Eberman, Francis Ford.

CRUISED COMEDY; production, direction, screen play, Charles Chaplin; camera, Karl Strom and Solita Toland. Cast: Charles Chaplin, Paulette Goddard, Henry Daniell, Emma Dunn, Maurice Murchvith, Max Davidson, Nellie V. Nichols, Esther Nickelson.

U. S. Pts New in Production

FOREIGN CORRESPONDENT, formerly PERSONAL HISTORY, drama; producer, Walter Wanger; director, Alfred Hitchcock; screen play, Charles Bennett, Joan Harrison; dialog, James Hinton; camera, Rudolph Matz. Cast: Joel McCrea, Laraine Day, Robert Marshall, George Sanders, Albert Brennerman, Herbert Marshall, Elizabeth Casswell, Edmund Gwenn.

THE LONG VAYAGE HOME, wa drama; producer, the Argus Corp.; writer, Walter Wanger-John Ford; director, John Ford; screen play, Dudley Nichols suggested by four screen plays by Eugene O'Neill; camera, Gregg Toland. Cast: John Wayne, Thomas Mitchell, Ian Hunter, Barry Fitzgerald, John Qualen, Arthur Shields, Joseph Sawyer, Ward Bond, Wilfrid Lawson, J. M. Kerrigan, Jack Fenwick, Harry Tenbrook, Ralston O. Usher, Constantine Romanoff, Carmen Monahan.

CAPTAIN CASTON, drama; producer, Hal Roach; director, Richard Wallace; screen play, Grover Jones, based on the Kenneth Roberts novel; camera, Herbert Brenson. Cast: Victor Mature, Lonnie Platt, Bruce Cabot, Leo Carrillo, Vivienne Osborne, Miles Mander, Robert Barrall, El Brendel, Andrew Tomba, Anne Ays.

KEY CARBON, western; producer, Edward Small; director, George Seta; original screen play, George Brown; camera, Jack Merrill. Cast: Joe Hall, Dana Andrews, Lynn Bari, Ward Bond, Harold Huber, Bole Egan, Clayton Moore, Raymond Hallon, Charles Stevens, Browne Cook, Harry Strang, Blaney Harris, Al Ekanen.

Universal

	From- last week	Com- pleted	Shoot- ing	New Cutting	Not in Work	Scripts in Work
Features	10	11	1	1	1	2
Artists-Devine	1	1	0	0	0	0
Artists	1	1	0	0	0	0
Westerns	1	1	0	1	0	0
Serials	1	1	0	0	0	0
Famous	1	1	0	0	0	0
Totals	11	12	1	1	1	2

Pictures in cutting rooms or awaiting release.

THE BOTS FROM STRATTON, musical comedy, producer, Jules Levy; director, Fritz Landford; screen

(Continued on page 28)



Of all the motion pictures completed in the long history of the Warner Studio there has been none to compare with **BETTE DAVIS** and **CHARLES BOYER** in that champion of best-sellers **'ALL THIS, AND HEAVEN TOO'**

By RACHEL FIELD with
JEFFREY LYNN
BARBARA O'NEIL
Virginia Weidler • Henry Daniell
Walter Hampden • George Coulouris
An ANATOLE LITVAK Prod'n
Screen Play by Casey Robinson
Music by Max Steiner
A Warner Bros.-First National Picture

This, Too, is from Warners



WALTER WANGER

*is proud to announce to exhibitors everywhere a policy of
outstanding attractions exclusively, and that associated
with him in the first two productions will
be 1940's foremost directors*

JOHN FORD

*director of the prize-winning "Stagecoach" and
"The Grapes of Wrath" who will direct Eugene O'Neill's*

THE LONG VOYAGE HOME

for the Argosy Corporation

ALFRED HITCHCOCK

director of "Rebecca" who now has in production

FOREIGN CORRESPONDENT

RELEASED THRU
UNITED ARTISTS

AMERICA STILL HAS TIME FOR

LOVE!

runs neck and neck with "Honeymoon in Bali" in Kansas City, Little Rock, Houston, Minneapolis, St. Paul, Toledo!

beats "Honeymoon in Bali" in Chattanooga, Dallas, San Antonio, Fort Worth, Tucson, Detroit!



Paramount
"TYPHOON"
 beats "Bud
 in Scranton

**Paramount's
"TYPHOON"
beats "Buck Benny"
in Scranton!**

"TYPHOON" IN TECHNICOLOR

with **Dorothy Lamour** · **Robert Preston** · **Lynne Overman**

Quiz Programs Too Successful As Mail Lure; Handling Is An Embarrassment

Sponsors of quiz programs which offer prizes for questions submitted by listeners have found themselves with the problem of sorting the thousands of letters that they have received. The cost of properly clearing and indexing the mail has become so great that they are trying to devise ways of discouraging the fans from taking the bid for letters too seriously.

The quiz program underwriters who are doing the worrying are of that classification which treats this mail with thorough competition. In other words, their staffs actually go through it all and sort it according to various classes of questions. Some quiz programs outside their envelope stating to the first 100 that come in after the broadcast and from these pick what they want for the subsequent show.

The commercials that start on evening this early night on the up-and-up are they show shuffling down on it altogether. They're afraid of losing a goodly percentage of their regular listeners. Instead they're looking around for some device that will restrict the mail inflow.

Inside producers of one quiz program was asked last week to help out on this problem by having the announcer give the letter-repond angle in the continuity a quick going-over, and thoroughly devoid of any sales pressure. This particular program has been drawing an average of 15,000 letters a broadcast.

No Lamenting of Shows

Chicago, May 21.

Still another quiz program starts here on Friday (24) when Jewel Ford shows will spot a 15-minute musical quizer tagged "Melody Patterns." National Tea Shows has already made a mark in this town with two musical quizers, "Musical and Curious."

Set through the McJunkin agency, the program will have Dorward Kirby as m.c., Herman Barry as announcer and the NBC piano team of June Lynn and Jerry Marlowe.

Shoots Spieler In Louisville Family Feud

Louisville, May 21.

Downtown District was treated to a sample of Kentucky feuding Saturday (21) at 3:45 a.m., when William H. Fane, an upholsterer, fired at T. Robert Lehigh, WGNB announcer, who suffered a flesh wound in the leg. His pistol wound was dressed at City Hospital, and he went home. Lehigh was fleeing from a fight with Fane, his father-in-law, and was quoted by police as saying "It was family trouble." He's brother of County Trial Commissioner, J. Ward Lehigh. Announcer and his wife are said to be separated. When asked about the cause of the shooting, father-in-law said "I'll bring it up to court. I must have killed him, but only shot him at his feet to make him run faster."

Before coming to WGNB, Lehigh was on the staff of WGN, Charleston.

Bank Gives Away \$850

Hager, N. Y., May 21.

"What's the Answer?" bank began this money game, ended WGNW series by passing out \$850 in cash prizes.

Sumner, Marine Trust Co. directed it among three listeners who were letter-writing competition on "Why I Like Banking at the Marine."

Texas's Next Show

Hollywood, May 21.

Texas will stay on the air through the summer with a last hour musical show from here featuring Kenney Baker, Frances Longford and David Broadwater's orchestra.

Series runs from June 24 through at current point series show to Fred Allen himself Oct. 1.

War vs. C.A.B.

Great demand for war news coupled with the spring accounted for a drop of six points in Jack Benny's last C.A.B. rating.

However, spotted against Benny on CBS, at least as far as the eastern and midwest areas are concerned, is that network's 7-7:30 European news roundup and that's pretty tough opposition these days.

Carrington Scripts Into Arch Oboler Spot As NBC Summer Try

Edna Byrne Carrington, author of "Pepper Young's Family" and "When a Girl Marries," daytime serials, has scripted three "vegetable" half-hour dramatic shows, which NBC will start giving this week (23) in the Saturday night spot over the red (WEAF) looking formerly occupied by Arch Oboler. Shows are understood somewhat similar in form to the Oboler melodramas.

First week's show is titled "The First Born," second is "A Good Provider" and the fourth week's is "Smoke." Third week's offering is by Mrs. Carrington's 14-year-old daughter. It's described as a grim drama and is called "Prepare to Die."

Understood that after the first four weeks, the Saturday night spot will be held open, with various members of the NBC scripting staff contributing more or less experimental works and occasional scripts purchased from outside free-lancers.

MAY USE COMMERCIALS IN NEBRASKA GAMES

Omaha, May 21.

University of Nebraska football games will be carried on both KQOL and WOW this coming season. KQOL-KFAN have again been signed for play-by-play by Ford, while it is likely that Chevrolet will secure for the descriptions on WOW.

Deal is now in the process of obtaining permission to spot commercial spots during the descriptions. In the past, the U has banned such commercials, with the sponsors being given 15-minute periods before and after the game by the station for the commercial copy.

Lopes May Pitch-Ball

Vincennes Lopes is being considered as the pitcher for the Harmon program on CBS afterwards when the present cast takes a two-week vacation starting June 17.

The broadcasts, five per week, would be from the Aqueduct at the New York World's Fair where the Lopes unit is located.

Royale Theatre Back to Shuberts

Juilliard Bldg. Near Ready—Some Adman Inconvenience Reported

Columbia has shut down its Playhouse No. 1, formerly the original Royale, later the John Golden Theatre, on West 45th street, N. Y., and is turning it back to the Shuberts as soon as it can be restored to its original condition, which will be early in June. This will leave the network with but two outside theatre-studios. At one time it had as many as four Times Square former light spots for the use of its clients.

In moving some of the shows from Playhouse No. 1 to the other two theatres CBS has encountered some problems from agency producers. Later complained that they are being crowded and inconvenienced. They don't like the idea of having to break up their orchestral setups between the rehearsals and the actual broadcast in that another show can be accommodated.

The network has decided to move the reconstructed Juilliard layout around the corner from its home office, the CBS Studio building. This will be ready for occupancy in July.

WRITERS' NBC Huddle

Gold Beginning Talks With Network In New York City

Radio Writers Guild will begin negotiations late this week with NBC for a contract for staff writers in New York. Expected that the huddle will begin an exploratory session and will extend some time before any agreement is reached. Condon will probably suffer any network writers outside New York.

Inasmuch as only authorized scripts are involved, no questions of subsidiary rights will be involved, current practice in all writing fields giving an employer full rights to any work turned out by authors under full-time pay. Guild's main objective will likely be the question of salary minimums and Guild shop. No meetings with CBS are scheduled for the present, and matters with the advertising agencies are also being left in abeyance at this time.

Condon chapter of the Guild has been active for some time in efforts to obtain contracts with the agencies, networks and transcription companies, but understood conditions there are much less in the number-shops liking.

Actual huddle with NBC even in New York will begin as soon as Laine Sillman, Authors League executive secretary, returns from New York, N. Y., where she went yesterday (Thursday) in order with Department officials regarding plans for the Dramatists Guild's projected annual summer drama festival.

HOTHOUSE IS TESTING RADIO

Cleveland, May 21.

A sponsor with very little, if anything, to sell began a six-week run via WJAR Monday (20). Show is sponsored by the Hot House Tomato Industry of Northern Ohio and takes a 15-minute spot starting at 3 p.m. five days a week. Sponsors very definitely is not trying to sell glass-house tomatoes simply because business of this type at this time of year is virtually dead. As a matter of fact, the hot-house season will not commence again until October.

Local association is one of the largest in the country and is believed to be testing radio as a future media. Program will use recordings and a weekly contest of simplest nature in an effort to seek out listener response. Questions for listeners for initial week is "How Do You Spend Your Pie Money?" Prizes include \$25 in cash and 60 theatre tickets.

Frank Hubbard agency is handling.

Uncle Jim Is Rinso Sub

Uncle Jim's Question Box is the summer replacement for Edward G. Robinson (Rinso) on CBS Tuesday nights.

Change becomes effective June 18.

Pot o' Gold Must Get Off NBC Red

Tuma (Lewie-Hawes) has been advised by NBC that its Pot o' Gold will have to vacate from the red network and the only thing now to be settled is whether a place will be assigned to it on the blue line. The decision is now in the hands of NBC's sales department.

NBC's higher-ups had wanted to get the show off the red for some time, but it smothered this pressure as soon as the program came under fire in Washington. Now that the program has been officially cleared of lottery implications NBC is again putting on the squeeze.

LaGuardia in Outburst Against CBS

WNYC's Desire for Full-Time Is Cause of Conflict In New York City

City of St. Louis Renigs On Radio Time Payments For Vote Announcements

St. Louis, May 21.

Four local stations, KSD, KJRH, WIL and KWK, collectively, are holding the sack for \$1,200 for radio time paid the Board of Election Commissioners. The City Council has ruled the Election Commission has no right to contract for radio time and asserted the city could not pay the bills. Charles M. Ray, chairman of the Board, is preparing to mandamus Comptroller Louis Mott who, backed by the City Council's opinion, has sided any payment.

The situation developed several weeks ago when the stations which and time for apt announcements and five-minute programs in which voters were urged to register for the forthcoming elections tendered their bills. The Comptroller's office held up payment pending an opinion from the City Council. Among other things the opinion stated the radio stations entered into the contract "fully aware of the statutes creating the Election Board and give it power to do anything but conduct registrations and elections and took the business at their own peril."

Should the mandamus move fail the stations may be compelled to introduce a relief bill in the Board of Aldermen for their money.

JELLO SHOW'S STATUS AT KSD, ST. LOUIS

Editor, VARIETY:

In your story on Page 28 of the May 15 issue of VARIETY titled "General Foods Steps Back," the latter part states that because of a church broadcast commitment on the part of KSD the Benny show has been switched to the blue outlet in St. Louis—KWK. This statement is incorrect in that KSD is now carrying and will continue to carry without interruption the Benny show.

It is true that the Benny show is also being carried at 8:30 p.m. CDT on KWK, but this merely is a temporary arrangement and will be discontinued as soon as the recent order of the Federal Communications Commission granting us full time becomes effective. In the meantime we are still carrying the Benny show at 8:00 p.m. CDT Sundays and will continue to do so.

We would appreciate your making this explanation.

Edward W. Rowles,
KSD, St. Louis.

Glory referred to was intended to convey the thought that the clearing of the Benny show over KWK was not due to any fault of KSD but that the shift of program schedule caused by daylight saving time had brought the broadcast within the one allotment of KFUD, operated by the Evangelical Lutheran Church, which was vacated recently as the same wavelength as KSD—84.7.

Radio Correspondents

Ann. Elects Al. Warner

Washington, May 21.

Microphone writers Monday (21) picked Albert Warner, former New York Herald Tribune legman now sporting for CBS, as head of their new-old Radio Correspondents' Association. He succeeds Fulton Lewis of Miami, former INS scribbler.

Other officers are William McAndrew of NBC, v.p.; Fred Sherman of Transradio Press, secretary, and Stephen McCormick of MBS, treasurer. They will be installed at first annual banquet Thursday (22).

New York City newspapers learned Monday (21) with quotations from a fighting mad mayor, Fiorella LaGuardia, who called the Columbia Broadcasting System an interference of citizens who have been trying to get the city-owned radio station, WNYC, to go to private ownership as a "remedy" measure. This was not the first time LaGuardia had rapped CBS. Previously while he was witness stand in Washington (VARIETY, April 2) he berated the network for the "bad taste" of fighting a city-owned station and upbraided CBS lawyer Duke Patrick for his presence at the WNYC hearings.

CBS has replied to the Mayor's blast with publicity releases including a copy of a May 18 telegram letter written April 12 to Dorothy Dunbar Brundley, co-president of the New York Post, asking her straight on the technical facts. CBS is in the spot of having its motives misunderstood. Because it is defending a situation in far-off Minnesota, its Class I channelled WCCO, Minneapolis is on \$18 as is WNYC. The sheer complexity of the engineering and allocation technicalities make explanation somewhat difficult. Some lay critics have rushed to conclusion that CBS' New York station, WABC, is involved.

LaGuardia scored CBS on two alleged "unconscionable" points. First that Lawrence Lowman, CBS v.p., and Harold Reigelman, comment on the "Citizens Budget Committee" met in Mexico City during February, 1940. Second, that Reigelman in April asked for and received confidential CBS aid in analyzing the situation as regards WNYC, of which Reigelman was an avowed member.

CBS explains Lowman met Reigelman by chance in a social group at a Mexican artist's home, ridicules any "plot."

In the course of his tirade to newspapers against CBS he never revealed that a CBS official independently identified as Mel Wenzel had called upon LaGuardia a year or so ago in an effort to straighten out the \$18 wavelength jam. According to LaGuardia, but emphatically denied by Columbia, a hint that WNYC should, or must, find another berth or sell out is commercial interests was made. LaGuardia told the press "Needless to say, I threw the bum out of the office."

Revealed Point

In a meeting April 24 last before a New York Council committee Reigelman testified that it would cost \$100,000 additional of taxpayer money to operate WNYC signals in LaGuardia's wavelength. It is this estimate, which Reigelman admitted to "refer people," that caused the present excitement at city hall as the WNYC estimates are that additional hours will be of little expense to the city beyond a couple of extra announcers. H. V. Kallenbach, who was present at the same hearing took strong exception to Reigelman's attack and gave WNYC a big build-up.

WNYC has identified itself with consumer market surveys, telephone music, school broadcasts, band concerts by municipal departments groups and so on. It has been handicapped by a limited budget and civil service questions. Throughout his tenure of office, however, LaGuardia has made it clear that WNYC was one of his particular pets and his ambition to get full-time back on was full-time before CBS has collided violently with the allocation situation of CBS.

CBS points out the "chaos" of ownership of the Minneapolis station, and that alone puts them at odds with the mayor. If suddenly locally owned WCCO the deficit would fall to them. The principle is valid and not to be ignored, according to CBS.

CONSUMER-AD MEN FORUM

NBC FOR FREE NIX GALLS B-S-H

One of the causes for the recent feeling that the New York office of Blankley-Sampson-Flannery has been against NBC has to do with the refusal of the network some weeks ago to make and place gratis a five-minute transcription plugging four of the agency's daytime serials. It was the time when "Just Plain Bill" and "John's Other Wife" were moved over to the blue from the red line as that Sterling Products had four expensive serials running between three and four o'clock. The two shows that were already in this segment were "Amanda of Hometown USA" and "Orphans of Divorce."

B-S-F wanted NBC to put on a record which in effect would have the cast in "Amanda" and "Orphans" welcoming the troupe in "Bill" and "John's Wife" into their new show. NBC explained that such procedure would be against its policy, and anyway it couldn't see why the affiliated stations on the blue should be asked to carry a transcription for nothing. B-S-F retorted that this sort of advance publicity was a common thing on CBS and cited what that web had done for Campbell Soup's introduction of "Amos 'n' Andy" as a case in point.

BARN DANCE GOES NBC RED

Chicago, May 21. Alka-Seltzer is moving the WLS National Barn Dance from the NBC-Blue web to NBC-Red starting June 28, running at 8 p.m. central daylight time, replacing in the Coast at 10 o'clock. This marks the first time that National Barn Dance has been on the Red network, having always been on the WLS blue band.

However, while the show will be on Red stations throughout the rest of the country, it will remain on WLS, the blue outlet in Chicago since WLS creates and owns the show, and the sponsor also wants to keep the WLS core audience. Deal, negotiated through the Wade agency here, calls for 50 stations from Coast to Coast.

NORMAN SCHWARTZ GETS PART OF GRUEN

Norman Schwartz has obtained the dealer co-operative end of the Gruen transcription business and set up his own office. He has already started work on a day series for placement in the fall.

Schwartz was formerly with the Transcriptions Broadcasting & Television Corp., which for the past several years produced these Gruen transcriptions.

WHL, Niagara Falls, Starts

Niagara Falls, N. Y., May 21. WHL, 1480-waves, bowed in Sunday (18) with two-hour discriminatory show including Niagara Frontier star leaders, Caribouwood band, formerly on CBS, and area's radio personality in round-table quiz with general manager Earl C. Hall. Outset, broadcasting until local sunset, is owned by Niagara Falls Gazette Publishing Co. It's first broadcaster in this area city, which up to now relied on Buffalo and nearby Canadian outlets. Ben Brund is program director with three-man writing staff: Joe Hollister, Larry Lawrence and John Hall.

Two AP news and Standard was. CA-equipped studios are in Hotel Niagara.

Nix War Bids

The Federal Communications Commission seems to be following the lead rule of denying all requests from part-time radio stations to extend their operating hours on special pleas in order to play on the air for war news bulletins.

There is much concern around the country at the "hysteria" of the moment, a reflection of the overwhelming pro-Ally sentiment in America and the acute distress that events have been favoring the Nazis.

French Require Bigger Radio Organization

Paris, May 21. Scoring the unreliability and distortion of Nazi news as compared to the accuracy and reliability of French news, Louis Desbrosses, new head of the Technical Committee of the Ministry of Information, has made a strong plea for more powerful French radio stations capable of coping with Nazi wireless propaganda.

"Our news is true," he said, "while most of that given out by the Nazis is distorted or false. We must not only be more reliable, but stronger as well. Our radio, which does not lie, must cover the voice of falsehood."

The Deputy also advocated the distribution of news bulletins in Germany by the Allied air forces as well as patriotic propaganda by posters in French towns and villages. New Technical Committee consists of 20 members. Supervises radio, cinema and press.

TOMMY DORSEY SET AS HOPE SUBSTITUTE

Tommy Dorsey is set as the punch-line for the Peppermint show on the NBC-Red while Bob Hope goes on a 12-week vacation. Dorsey does his first broadcast June 23. His program will not include guest artists.

Lord & Thomas is the agency.

Claire, Gorin, Bartlett End Operetta Splash at WGN

Chicago, May 21. Third and final operetta in the Mutual-WGN "Chicago Theatre of the Air" series will be "Eminent Time" on May 28.

As the two others, it will be produced by Bill Butler with Henry Weber conducting. Leads will be sung by Marion Claire, who has done the home singing lead throughout the series. Igor Gorin, who holds over from a date in "Student Prince," and Michael Bartlett. Gorin will do the Franz Schubert role.

Liberty Heaters Up

Liberty Magazine will underwrite Gabriel Heatter twice weekly on its Mutual stations out of WOR, New York, starting tomorrow (22).

It's the Thursday and Saturday 6-8:30 periods and the contract is for 26 weeks.

Long Holiday Weekend

It will be a four-day holiday next week for much of the personnel around NBC and CBS. Most departments are arranging to have half the staff out for the four days starting Thursday (20) and the other half get a like break on the Fourth of July week.

Indications are that around the ad agencies it will be a rise of 50% going back to the July Friday (21), even though the personnel will go on its regular weekend break the next day.

The N. Y. Times enquires are enquiring the same plan.

4 A'S HEAR THEIR BIZ CRITICIZED

Fulton Oursler and Stanley High Defend Advertising Against Donald Montgomery and Colston Warner at Waldorf-Astoria Convention Meeting

MOSCOW ANGLE

By ROBERT J. LANDRY

"To What Extent Should Advertising Be Controlled and by Whom?"

This was the question last Friday morning (17) at the Waldorf-Astoria hotel, New York, when "critics" and "defenders" of advertising conducted a Town Hall style forum as part of the 25th annual convention of the American Association of Advertising Agencies. With the human failing characteristic of participants in symposiums, the speakers tended to talk around the subject, each from his own point of view. The question might have been in closer relation to Stanley High and Fulton Oursler texts if it read: "To what extent is the consumer movement Communist and by whom is it controlled?" On the other hand, it would have fitted Donald Montgomery and Colston Warner better to have the question read: "Was American business a success?"

While, forum-like, nothing was proved, or indeed intended to be proved, it was a stimulating meeting and, in the history of the trade, a significant one. It represented the triumph of a let's-try-something-new movement with the Four A's. That the whole affair was organized and recommended against pronounced quibbles and misgivings by advertising agencies was freely confessed by First A's chairman, Allen Billingsley, of Fuller & Smith & Bone, who humorously remarked that some had feared this forum might be the rock on which the organization would come to grief.

Early in the proceedings, and at several points during the discussion, radio was singled out for blame. It was radio, according to Colston Warner, which lured along the "vicious movement" of bringing the "vicious business" of spoken word into the parlor. The "competitive shouting" did much, he thought, to make educated people unpleasantly aware of "our Coca Cola civilization." (It was admitted that the consumer movement started at the top of the IQ pile, trickled downward.)

Warner asked what chance a modern child has to see facts clearly under the insistent bombardment of urgings to spend, eat, drink, but not.

(Continued on page 44)

Dance Macabre

During the night of the battle in Belgium and France last Friday (17) a news broadcast over WNCA, New York, stressed the heavy casualties being suffered by the belated army.

Program was sponsored by King David Memorial park, New York, and the commercial referred several times to the cemetery as a "wonderful resting place."

Air War Talks Create Hysteria Says Editorial

Minneapolis, May 21.

Taking radio was news commentators severely to task, the Minneapolis Tribune in a lengthy lead editorial, heavily loaded in and in big type, charges the commentators with being largely responsible for a state of mind closely bordering on hysteria that was set in evidence during the World War, with women in particular being the victims. The editorial calls upon the commentators to exercise more restraint and cut out the dramatic diatribe.

"This deplorable condition of nerves is brought about by the radio commentators—not the radio," asserts the Tribune editorial. "It is overstated both by what he says and in particular by his manner in saying it. Scarcely supplied with facts, through no fault of his own, he all too frequently fills his allotted time speculating on all available possibilities of increasing disaster. The emotional disturbance created by the sensational efforts of the irresponsible commentator is widespread and serious, and probably will have its residual effects long after the war is over."

JOHN BUCKMASTER SET FOR PALL MALL

Pall Mall cigarette has settled on John Buckmaster, who has been doing a character study routine at the Algonquin hotel, N. Y., for the past several months, as the talent for a program it will test on WOR, New York, for 12 weeks.

Buckmaster is a son of Gladys Cooper, the stage star. He had appeared in the Broadway production of "Queen Bees."

Larry Stone, assistant business manager of Seattle's KING, plans next for business with Free & Peters.

CONSUMER ADVICE TO ADVERTISING

During the forum session of the Four A's at the Waldorf last week (see adjoining column), spokesmen for the Consumer's Movement offered the following advice to the business world:

- Stop talking so much about the need for confidence in business—(it's common sense!)
- Stop trying to resist attack techniques dealing with consumer problems!
- State positions of the consumer movement in specific terms, at business and the consumer movement to make its statement!
- Stop name-calling and "whispering!"
- Stop censoring and substitute more facts in advertising copy!
- Stop "shouting" on the radio!

ADVERTISING ADVICE TO CONSUMER LEADERS

On their side the spokesmen for business issued these points against the Consumer movement:

- Prove that reform, not revolution, is your goal!
- Prove that regulation is not part of a general attack on the whole regulatory structure!
- Prove that you have not simply advertising but as the prototype exposed fraud through which you think you can best get at an underdog, victimized!
- Prove that the Consumer is willing to understand the business side a problem!
- Prove that you have the right to speak for the people!

'INFO, PLEASE' WAR STUFF CUT IN CANADA

"Information, Please," was cut off on its Canadian stations last Tuesday night (14) when during the course of one of the questions John Guther, a guest participant, launched into a detailed discussion on what brought about the meeting of British Prime Minister Churchill and his replacement by Lloyd George in the last World War. The question had to do with naming three parallel incidents in the first and second World Wars. The abrupt clipping of the "Information" program was in line with the Dominion government's ban on the expressing of opinions regarding the present European conflict over the air.

American commentators have been barred from Canadian outlets since practically the outbreak of the war. This situation has hit Mutual particularly hard, since this network depends on CKLW as its release for the Detroit area. The Canadian Broadcasting Corp. wants to be in a position to control all such broadcasts and it is possible some formula might be worked out between Mutual and the Dominion's war censorship board through the CBC so that Mutual will be able to clear two of its sponsored commentators. Raymond Cronkling and Gabriel Heatter, through CKLW.

ARMY OBITS NOT FOR AIR

Winnipeg, May 21.

Belatives and friends of Canadian war casualties will not be advised by radio or the press of their loss according to an announcement from the Canadian Broadcasting Corp. and the Canadian Press here this week.

First news of any personal loss will come through the usual Government channels stated officials after which can be made of the information by radio and press if deemed newsworthy.

The Canadian Broadcasting Corp., in cooperation with the Canadian Press is preparing a weekly news broadcast for troops of the Canadian Active Service Force in training in England. These broadcasts will include highlights of the Dominion life and will be carried to the overseas unit of the CBC now in England.

They will be given by a Canadian announcer on the British Broadcasting Corp. Staff each Monday evening.

See Cream and Wei

St. Louis, May 21.

Capitalizing on the heavy demand for war news, the Hyman Ice Cream Co., through the Jim Dougherty Agency, St. Louis, is presenting a minimum of 10 news bulletins daily over KWK. The commercial announcements are between 20 and 30 words and are unique in that they make no mention of sponsorship of the accompanying news report.

No effort is made to sell, however, since the commercial is preceded by sound effect of UP primer ball and followed by war bulletin immediately.

MENNEN LOOKS TO A RETURN IN SEPTEMBER

Mennen is negotiating through the Kiewit agency for the Sunday 5:30 to 8 p.m. slot with a September starting date.

Amount wants to use this period for its Quikshave quiz with Col. Cunningham as MC.

Payroll Traffic

Washington—Mrs. Evelyn Wilson, formerly with the script department of WOL, has joined the radio department of the Democratic National Committee of which W. W. Adams' jobline recently became director.

New York—Campbell's new appointments include Gilbert Radford as network program manager, Hal James, local program manager, and Nancy Hyman, program staff.

Minneapolis, Minn.—Harold Moon is the new news editor of KGO. Duane Sawyer having resigned to work for his father, a newspaper editor of Bentley, Minn.

Salisbury, N. C.—Bob Van Camp is WPTF, Salisbury, as program director. Paulson James McClelland, who joins WTKY, a new station at Hickory.

Minneapolis—Thorne Meyer, former Minneapolis business agent, who recently at the Newark hotel, Chicago, has returned to WTMJ, Minneapolis.

Denver—Earle Ferguson, at Washington, D. C., is KLL as joint sales-

man. Harold R. Thorpe, from Omaha, to newsroom. Rhea Stittner of WYHO, Des Moines, same as usual.

Bob Harris, with KLE seven years, gets publicity and promotion work, succeeding Jeff Baker, who is at WTAR, Norfolk, Va.

Buffalo—Spokesman Lindsay Adams Levine has taken six-month leave from WGR-WGRM to study program production in New York. His job goes with him. Bill Clark, Northwestern U. student, filling in for a second summer vacation.

Calgary, Alta.—Viv Hugh, former announcer of KFTL, Wichita, now program director of KGO.

Leavenworth—WJBC has added Howard Carlson, from WGBM, Indianapolis. John Cannon, actor, and Ralph Edgar, announcer, from Chicago.

Dave Wilkins, formerly of WLB, Chicago, is traffic manager. George Coppedge, who has been on the announcing staff, has been placed in charge of New Albany station, and Ken Hall is out.

Tulsa—Herbert Gilliland will suc-

ceed Larry Payne as program director at WTUL, Tulsa, on May 23, when Payne goes to WJR, Detroit, as announcer.

Philadelphia—Claire Kellier, formerly with the local office of Lever Brothers, has been added to radio department of WFIL.

New York—Tom Harber has joined the World Broadcasting System as Eastern sales manager. He was formerly with Curtis Publishing and Edward Petty.

Birmingham, Ala.—William H. Jones and Thomas J. Severin have joined the WBHM announcing staff.

Denver—Don Martin has been added to the KGA news staff. Dad is managing editor the Denver Post.

Seattle—WURL adds Elliot Miller to the announcing staff and Bryan Wynn to the engineering staff. Melvin Bickel replaces George Lockyer as Chief Engineer, while the latter goes to Los Angeles on a two-month leave of absence.

San Antonio—Announcer Wayman Whitley moves to KABC from WACO, Waco, and KJLP, Galveston.

Tulsa, Ok.—Joe Ford is new announcer at WTUL, Tulsa, coming from WGBM, Birmingham. Succeeded Larry Payne, who joined the WJR, Detroit, staff.

Juvenile—But Not Delinquent

Sabra Rubenack and Elizabeth Seidenfeld, of Youthbuilders, a group which encourages juvenile delinquency, presented some interesting views based on their own surveys and cited some challenging statistics in a two-way discussion conducted over municipally-owned WNYC, New York, last week. Variety herewith gives some quick takes of their salient points.

There are 16,000,000 more kids in schools now than 25 years ago. Our urban populations have doubled, and it is in the cities that the extra-good schools are found.

80% of the New York City schools teach newspaper reading as home work.

Kids' interest in movies is only 1/5 higher than in news stories.

Kids read the whole story, not just the headlines.

Children are just as 'affraid' of Hitler and what he represents as any adults.

Children's most frequent question today: 'Will my father be drafted?' Reaction of today's headlines is of greater natural appeal to children than the make-believe of the old Nick Carter paperback thrillers.

Kids complain that 'Stanley' (and Livingston) never had any girl friend like they gave him in the picture.

'Mushieus' is universally detested by all kids... the longer the kiss, the greater the boredom... 'Elizabeth and Kears' nearly drove them crazy.

Children did not like beginning of 'Abe Lincoln in Illinois' because it pictured their hero as gawky, overgrown, ineffective.

The rumormongers about juvenile delinquency in St. Louis claiming 'Gang-busters' radio program is easily explained: 'A youngster at bay will naturally catch at any excuse which he hopes may explain his mistakes, or lighten his punishment.'

Inside Stuff—Radio

At least some Federal radio programs will continue after June 30, although Congress is tightening up on funds for air-wave culture or education at the taxpayers' expense. Temporary curtailment of Government broadcasting seems inevitable under the economy policies that will mark the opening of the new fiscal year.

The only Federal outfit certain of money to keep using the microphone are the Interior and Agriculture Departments, although some of the independent agencies probably will be able to squeeze a few dollars for making transcriptions and preparing scripts from their general allowances for 'illumination of information.'

The Interior Department bill, sent to conference over a week ago, contains approximately \$20,000 for the specific purpose of preparing radio programs and a slightly larger sum is provided for the Agriculture Department. During was tied to the Interior Department allotment (which was not eliminated, as erroneously reported in Variety last week) in the form of a House amendment stipulating some of the money for information could be used to 'influence Congress.' This was a reversion from some programs last year that certain lawmakers construed as an attempt to stir up public pressure in behalf of oil conservation bills.

Sales of 1,000 shares Columbia Broadcasting System \$2.50 per share. A company stock last December by Herbert Bayard Swape was reported last month to the Securities & Exchange Commission.

Delayed accounting also showed that in a year's-end transaction Swape bought 1,100 shares of the same class stock on the day that he dumped his holdings—retaining a total of 8,700 shares at the end of December.

Some 300 shares of Columbia \$2.50 per share Class B common were donated to Edward Klasher, CBS vice-president, on March 1, the S. E. C. reported, representing Klasher's only interest in that particular type of securities at the end of the month.

'If War, U. S. Grabs Radio'

That headline on page one of last week's Variety provoked some mixed reactions in the trade. One fact that was noted was the conspicuously more intimate relationship of NBC to the Army than CBS, and the greater personal link to the service.

For the benefit of those who seemed disposed to disbelieve in the story, Saturday's testimony of Major General M. H. Arnold before a senate appropriations committee seemed a complete answer. He suggested many radio stations would have to be shut down because they would be 'an invitation to hostile planes.'

E. Katz say firm has put out a special promotion piece on the Census stations in Iowa and South Dakota following the passing of the term, 'the nation's money belt' for the area covered by these stations. Name contest, which was instituted by Craig Lawrence, sales manager for these stations, drew 2,100 entries, and Luther Hill, general manager for the group, and Lawrence decided to hand out additional prizes besides the \$500 top prize. Sent out 32 additional prizes, which were 17 radios and 25 wallcharts of the region came from staffs of advertising agencies and advertising departments of manufacturers.

Louella Parsons, Hearst picture columnist in Hollywood, got herself entangled when she published a letter denigrating Gracie Allen's gag and presidential campaign. Parsons of Burns and Allen radio team (Lulu & Fred) took it up with the Hearst magazine lords and in Parsons was ordered to reprint one of the more favorable letters she received about the Gracie Allen Omaha junket. She has completely ignored the stand since that time.

Collier's mag issue of May 22 contains a scathing editorial against the FCC. It takes off from the springboard of Fly & Co.'s recent adlet against RCA television, but does not stop there. Goes on to blast whole commission, what it stands for, how it operates and winds up with urging that Congress hamstring it.

When Baby Needs Shoes

WBNS

HELPS MAKE THE SALE

WBNS

WOMEN WEAR & ENJOY



FIRST in daytime rural population—3,120—
SIXTH in total population—3,837,323—
among all Columbia Stations.

FIRST in transmission efficiency. 5,000 watts that do the work of 50,000. A great story of good frequency, excellent soil conductivity, low noise levels.

FIRST in cash farm income—among all Columbia Stations. \$747,180,000 in 1938.

FIRST in value of farms—among all Columbia stations. \$4,257,599,000.

FIRST in Showmanship among all Farm Service Stations—Variety Award.

NOW FIRST in Station Publicity and Exploitation among all regional stations—Billboard Award

Make WNAX a **FIRST** choice on your station list. It will produce First Prize results for you.

A Cowles Station—5,000 Watts L. S.—1,000 Watts Night—CBS—Rep. by The Katz Agency

RADIO STATION **WNAX** 570 ON THE DIAL
Studios—WNAX Building, Yankton - Orpheum Building, Sioux City

RADIO 'BENEFITS' AN ART

60 T-MEN AS RADIO STUDES

Washington, May 21. Some 60 Treasury Department employees have signed up for a general course in radio conducted by Ross Fulton and George Vassili, WBC-WHAI production directors.

T-men with a desire to find out about the workings of a broadcast station will attend night classes every other Monday in the Treasury building. Course, which began Monday (20), represents the second summer class venture conducted by the WBC production experts.

Beer Firms Favor News

San Antonio, May 21. Most of the beer distributors here are turning to sponsoring news periods with two more added to the list at station KTXA. Gulf Brewing Co., brewers of Grand Prize Beer are airing a three weekly five minute program titled 'Today in Politics' with Charles C. Shaw as commentator. Brief news flashes of local, state and national politics are aired.

Other is the Southern Bell Beer & Daily News and Sports digest aired for five minutes.

Ray Duffy's Symptom

St. Louis, May 21. Briggs Hoffman Insurance Agency, St. Louis, has signed to backdoor KWK's 'Highlights on the News' each Sunday p.m. for the next 12 weeks.

Program, heard every day a.m., is arranged and aired by Ray Duffy.

O. Henry Twist

Buffalo, May 21. Buffalo Chamber of Commerce leaders have relaxed since station WHEN became aware that the city slogan no longer is 'Queen City of the Lakes' but 'City of Good Neighbors,' and the station is so calling it.

O. Henry twist is that new slogan was originated at Buffalo Evening News, which owns WHEN.

Majestic Sales Manager Is Bankrupt for \$67,842

William Morin, sales manager employed by the Majestic Radio & Television Corp. of Chicago, filed a voluntary petition of bankruptcy in the U. S. federal court Friday (17), listing \$67,842 in liabilities and \$200 in assets. Morin does not own anyone in the theatrical business, debts being composed of state and federal taxes, loans, brokerage transactions, breaches of contract, etc.

Mrs. Howard Miller Sues

Chicago, May 21. Howard Miller, general manager of WCHL, Oakbrook (Ill.), has been sued for divorce by Mrs. Virginia Miller on charges of cruelty.

Couple married March 23, 1937, and separated May 15, 1939.

Tilkins Promoted

William O. Tilkins has been made assistant manager of NBC's national spot and local sales department.

He's been in the department since 1936.

CHARITY DRIVES' SHOWMANSHIP

Greater New York Fund an Example of New Expert in Social Field, the Charity Radio Director

UNION TIE-INS

One of the newest forms of professionalization on the non-commercial side of the American radio scene is represented by the so-called radio director of charity fund drives. That more, much more, will be heard of this job and those persons in respect. Meantime, it appears that in most of the larger American cities, social service radio publicity committees are being organized to the end that organizations that go to the general public for financial support may exchange notes and develop their radio 'showmanship.'

The problem of the charity organization is this: radio stations and networks will donate air time, but they demand that all charity programs shall be as listenable as the mean average of the station's, or the network's, own sustaining programs. This puts a burden of program-creation and program-execution upon the fund's committee. The latter are frankly bewildered and frustrated and unable to proceed in some cases. But the more successful have done

(Continued on page 42)

ACA (C.I.O.) Signs WOV Announcers

Action Draws New Attention to AFRA's Jurisdictional Rivals—There's Still an AGRAP in N. Y.

American Communications Assn., CIO union of radio employees, last week stepped in ahead of the American Federation of Radio Artists and signed a contract for announcers at WOV, New York. ACA already has a contract covering announcers at WHEX, New York. AFRA, which represents the announcers at all the major New York stations (except those at WABC and WOR for sustaining programs), has made less headway at the smaller stations.

ACA contract, signed by Nyla Kizales, WOV general manager, and Sydney Adler, for ACA, sets a time rate of \$27.50 for a 40-hour week. It also specifies rates of \$2.50 per week for each six months' employment and calls for a system of fees, figured on the basis rate, for commercial programs. Union's chief announcer stronghold is Philadelphia, where it has contracts with WYF, INBC blue and Mutual, WIP, WPCN and WDAZ, but some with KYW (NBC red) and WCAU (CBS).

Actually, the ACA pact with WOV is not a brand new deal, since its terms are generally similar to a previous deal the American Guild of Radio Announcers and Producers had with the station. AGRAP, which represents the announcers at WABC and WOR for sustaining programs, is not affiliated with any other union. WOV chapter recently dropped out of AGRAP and aligned with ACA. New contract between WOV and ACA extends only until next Oc-

tober, when the union will seek a two-year deal covering both announcers and technicians.

Although ACA and AFRA theoretically are in conflict, they actually cover the same territory infrequently. With its CIO vertical union setup, ACA takes in all employees, from announcers and technicians, to clerks, office boys and salesmen. AFRA, which is affiliated with the AFL, includes only those who appear before the mike, such as actors, singers, announcers and sound effects men. AFRA's strength depends mainly on its top names, whereas the ACA bargaining power stems from the fact that it usually represents all the employees at a station. Thus AFRA has been most successful in dealing with major stations, networks and sponsors, while ACA can admittedly never hope to take over the major outlets, but is well geared to deal with the small outlets.

AGRAP Fought

AGRAP, which was the first union in the radio performer field three years ago, has been almost put out of business by AFRA because of the latter's network and commercial contracts. Besides the announcers at WABC and WOR, plus the staffs at a few smaller stations, it has practically ceased operation. And if AFRA's plans go through, it will put AGRAP completely out of business when the new network code is negotiated. At that time, AFRA in-

(Continued on page 38)

WBT
CHARLOTTE, N. C.
50,000 WATTS
CBS

Delivering a 2,000,000 people market
with more retail sales than Maine,
New Hampshire, Vermont combined.



For more information about WBT, one of the sixteen CBS 50,000 watt stations, inquire of Radio Sales: New York, Chicago, Detroit, St. Louis, San Francisco, Los Angeles

COLUMBIA'S STATION FOR THE CAROLINAS

FREQUENCY MODULATION RADIO GETS BREAK AT EXPENSE OF RCA TELEVISION

**Educational Stations of Future All to Be F-M—
Coverage, Not Power, the New Standard—No. 1
Channel Lost to Radio Corp.**

Washington, May 21. Political embarrassment the New Deal has been suffering for months ended Saturday (21) with the decision to give frequency modulators 22 channels and, more importantly, the right to start making money. Settlement of the tug of war between FM and television largely restored the regulators' prestige.

Isolation of the problem by which adherents of the Max Armstrong system got the spectrum from 42.5 to 50.5 MHz and video operators have to move upstairs was not surprising. Even those most upset by the Commission's settlement of the squabble (NBC, Zenith and the Lee) had been prepared for the worst.

By green-lighting the FM technique, the FCC's move answered political criticism that they are unwilling to open the door for new services that may provide much employment. They also afforded a chance for investors to put their money into something novel and—in theory, at least—encouraged a type of broadcasting that allegedly will bring great benefits to the public.

geographical area, will be the test of public interest, convenience and necessity.

The Commission decision was another proof of hostility toward Radio Corporation of America. At recent hearings on the potentialities of FM, in trying to protect Television Channel No. 1, RCA pleaded for "narrow-band" operation (40 kHz stripes), apparently in a desperate attempt to save the Empire State visual broadcasting spot. Everything else stopped hands for 200 kHz berths, although there were added restrictions against forcing television to move upward. The decision kept out the unwanted vision at the current hearings when several regulatory voices urged the idea that the public would benefit more from FM than from video in the 44-50 stretch.

While giving FM a clear track, the Commission announced that all of the 145 pending applications will be sent back. Rules and regulations, as well as the new forms, are expected to be ready in two weeks, but no formula for distributing the facilities has been worked out yet. The regulations still must cope with the way they want to parcel out the berths.

The decision anticipates gradual improvement in technique so that twice as many FM outlets will be possible before long. Just as the television was chopped in standard broadcast frequencies, it is expected the short-waves will learn how to do the job with a smaller swing—although engineers remain dubious that bands ever will be as narrow as the 40 kHz suggested by RCA—on that the 22 channels will become in effect 18. Commission also said it is prepared to shove FM plants to higher frequencies if events justify.

The Commission scored a triumph

over the military and naval services. Strong pressure was needed to get the Interdepartmental Radio Advisory Committee to agree that government agencies should surrender their hold on the space from 62 to 66 MHz to reserve for the block from 68 to 72 MHz and the television from 74 to 82 MHz. This was achieved principally by making it plain that television and FM could not go forward if forced to spread their operations over widely-separated frequencies and that if either was restrained the Government would have to assume responsibility for retarding developments. Also it was driven home that commercial enterprise would do experimenting that will greatly benefit the national defense, aviation, etc. Because of the political force which followed the Commission's suspension of the "limited commercialization" television rule, the 12 other members on the IRAC realized it was wise to make a sacrifice; even one entailing the shifting of thousands of Government transmitters and receivers.

Pedagogy on F-M

Five channels for non-commercial educational plants are retained, although all of these are 1 kHz higher than before. The pedagogy using amplitude modulation can continue with that technique, but hertzforth any applicant for one of these berths will have to use FM.

Television plants now on 44-50 MHz must come in with requests for new spots. Either channel No. 2 (46-48 MHz) which now becomes No. 1 or the new open from 68 to 72 MHz. Shifts will not be immediate, since the new FM rules do not go into effect until Jan. 1, 1941, thus allowing time to make over the existing video transmitters.

Coverage Criteria

Details of the allocation policy are swathed with deep intent. The Commission explained it will not classify FM outlets the same as it does standard stations: instead of asking for wattage as a local, regional, or clear-channel plant, the short-waves will be required to seek whatever amount of juice is needed to serve a particular area. Commission said the state-free outlets will be rated on the basis of coverage rather than power. Move to avoid possible monopoly is a device to license competitive stations in one population area to serve identical audiences. The density of population presumably will be the yardstick.

One reason for boosting television higher was the mounting evidence that freshish long-distance transmission suffers on the 55-60 MHz ribbon, and the fact the diathermy machines operate on these frequencies. Interference now suffered by video operators on channel No. 1 cannot be eliminated, so after they get over the shock the visual broadcasters will be better off in the estimation of FCC technical experts. In this connection, considerable attention was paid to reports that NBC's Empire State transmitter was picked up recently in Chicago. Commission also has heard of transatlantic video transmissions in this part of the spectrum.

Realizing the political significance of its decision, the Commission laid much emphasis on the benefits of FM. Particularly the prospective employment for thousands of persons in the manufacturing, installation and maintenance of transmitting and receiving equipment and the programming of such stations. The report reassured the public, however, that standard stations will be indispensable and will not be erased for an indefinite time. Regulators played up simultaneously to critics who say the FCC has permitted a monopoly to flourish and to the distributors who would like to be able to bring in more signals.

Peach Crop Blurbs Due

Spartanburg, S. C., May 21. Radio comes in for a share of the 1940 advertising outlay of peach growers in the Carolina and Georgia, officials have announced. Crop worth several million dollars annually, is an earnest of Brooks, French, Smith & Dorian, New York City advertising agency.

Sets Must Be Fixed

Fervent report that the Federal Communications Commission landed down over the past weekend on frequency modulation contains a grant which has already had an outward effect on television. The spokes of the latter medium state they have no lacking of how far they will be mechanically circumvented by the FCC's forthcoming report on television, but one thing they do know is that RCA will have to conduct every one of the sets it has either sold or has on the market. What is now the No. 1 channel for television and an RCA allocation has been assigned by the FCC for the use of frequency modulation.

The tele sets that are now out also do not provide for the channel that has been added to the television group as replacement for the one turned over to F-M. CBS comes out of the replacement with its own television channel intact. Television technicians are pushing up television's frequency to the 60 to 66 megacycles zone may create a tough problem for set builders. Nobody, they say, has been known to build equipment that can utilize these higher frequencies. Whether television has been put to a disadvantage by the shift, it was added, will not be determined until lengthy experiments have been made.

C.I.O. Signs WOV

Continued from page 17

tends to require all network announcers to join its ranks.

Only competition to ACA in the technical field is the International Brotherhood of Electrical Workers, AFL affiliate. Two organizations have about equal representation among studio technicians, but ACA's inclusive setup of announcers and other classifications of studio workers gives it added power. However, the total membership in both ACA and IBEW amounts to only a small percentage of the total technicians employed in the broadcasting field. Bulk of the membership of ACA stems from telegraph and commercial radio operators, while IBEW's greatest following is in the electrical manufacturing field.

In reality, only a tiny share of all employees in the radio field are members of any union. Even AFRA, with the network performer field covered up, has done little more than scratch the surface of performers at the countless small stations outside the major cities. It has merely gotten representation in even the key cities, such network organization spots as New York, Chicago and Los Angeles are well covered, particularly at the network-affiliated stations, but even in these towns the small indie stations are barely touched. And in such key cities as Philadelphia, Boston, San Francisco and so on, there is scanty AFRA membership. In the bulk of the small towns AFRA is virtually nonexistent. If the union is ever to succeed in organizing this untapped field it will probably have to be through some sort of control of transcriptions. But in any case it will require years to accomplish it.

SHURICK SETS STAFF FOR NEW WLOL, MPLS.

Minneapolis, May 21

Operating staff of WLOL, which goes on the air June 17, will be headed by Edward F. Shurick, Jr., who was for seven years manager of KSTP and for over three years general manager of WGGV. His program manager will be Irvin Coffey, who comes from KATL, Ames, Minn., while Jerry Harrington will be chief announcer and supervisor of production. Harrington is from WCCO.

Governor Harold A. Stassen and Senator Burton K. Wheeler are among those scheduled for the dedication. John P. Devaney, former chief justice of the Minnesota state supreme court, is president of WLOL, while Fred A. Dennis, a local attorney, is v.p. and treasurer.

Styles Moves to KFNB

Hollywood, May 21

Hal Styles, long time on KJH with "Help Thy Neighbor," shifted over to KFNB under sponsorship of George Peppercorn Foundation. Program is dedicated to job training.

JAY SUCCEEDS SCOTT

Philadelphia, May 21

Norman Jay, former editor of Radio Press, is handling the "Philadelphia" program on WCAD. He replaces Allen Scott who left two weeks ago to take charge of a new quiz show on WGN, Chicago. Bookkeeper for "Philadelphia" is the Yellow Cab Co. (Levy-owned).

INDISPENSABLE

... in a rich listening area with which its call letters have become synonymous...

WHAS

LISTENING AREA MARKET
1000 MAIN ST. BOSTON 185, MASS.

DOLLARS ARE
ON THE MOVE
IN THE
WTIC
MARKET

AND SUMMER
BRINGS A BIG
PLUS TO THIS
GREAT MARKET

SUMMER inevitably brings a big plus to this market where per capita retail sales are consistently 40% above the national average. Three million summer visitors to New England—who spend some \$500,000,000, mean worth while extra business

for manufacturers of just about everything. Plan now to use WTIC to help you make the most of this market that pays extra dividends because it is within easy motoring distance of 72% of the country's population.

WTIC

JESSEL PACKS THEM— IN PHILADELPHIA

THE POPULAR GEORGIE JESSEL, SAD EYED, CAS-
ANOVA COMEDIAN, DRAWS GREAT CROWDS AT
JACK LYNCH'S WALTON. THE OPENING NIGHT
HE HELD THE FLOOR FOR OVER AN HOUR AND
THEN HAD TO BEG OFF. JESSEL IS TOPS FOR ME.

JEFF KEEN

PHILADELPHIA 'DAILY NEWS'

DEAR GEORGIE:

YOU ARE DOING THE BIGGEST BUSINESS MY ROOF
HAS EVER DONE, EXCEPT FOR ARMY AND NAVY
AND CONVENTION WEEKS. PLEASE COME BACK
SOON.

Sincerely,

JACK LYNCH

Representing Mr. Jessel

For Lectures-Banquets
Columbia Artists Bureau

For Radio
William Morris Agency

Mr. Jessel's Offices: Paramount Theatre Bldg., New York
Sam Corliss in Charge M. Desmon, Attorney

JENNIE DRAGOMIR
With James Stewart, Lillian Wells,
Budd Hackett, Lela Stevens and
Marilyn Chase
12 Mins.—Local
WABC-RCA, New York
Sunday, 8 p.m.
(N. W. Ayr)

Ford and the Ayr agency have evidently profited by the mistakes of last season, when the concept of a series was first presented to hold the 15-16 period Sunday night during the regular symphony lay-off. Subject to test-program mechanics and leading roughness, the show needs a number of solid musical elements and a number of whole. The music is a good series of selections, and several playing items have been submitted.

This time there is a distinct flavor running through the 15 minutes. Inevitably comparable to "The American Album of Familiar Music," it might be defined as solid sentiment expressed in semi-classic or rockabilly selections. And although it hasn't yet been fixed into a completely smooth flow, the ingredients are there.

Returning after a two-year absence from the air, Jennie Dragomir is spotlighted as the principal personality, in place of Frances White, last season's prima donna. James Stewart (very good) has taken over the spot James Madison had last season, with Lela Stevens assuming the conductor's post formerly held by Don Voxton. Budd Hackett is in, and there's a move to a foreign correspondent and commentator, as the new "Home Reporter" to do institutional belly for the Ford plant at River Rouge. Program originates in the Ford plant, Dearborn, before about 400 guests, mostly employees.

Besides Miss Dragomir's vocalizing, which is thoroughly assured and big-time, Stevens contributes eye-catching arrangements with the orchestra and chorus, frequently together. Hackett's lively and competent are straight and easily handled, and Wells' editorial writing glosses over Ford's conception of industrial America. The problem of laying in a musical background for the current spot is still to be done, with the economy also in for some doctoring for the same purpose. Also the show must be shortened technically, as to pick-ups and work.

Miss Hume and Bill McCaffery, the agency, and a latest blackface hit in a musical show flashback routine on the initial stage, seemed to highlight several notable spots. They even were listed. Without reflecting on such versatile performers, that musical sequence had a sure-thumbs appearance as an otherwise silly show. There are three commercial plugs, all rounded and unobjectionable—probably the most emphatic improvement of the entire new setup. *Robt.*

THE COTTON AND COUNTRY
With Ted Jewett, Julian Rose, Alfred Shuler, John Sterling, Lela Stevens, Bryan Work, Carl Emery, James Hernandez, John Gibson
15 Mins.
Sustaining
Sunday, 12:30 p.m.
WEAF-NBC, New York

This glorification of the cotton industry was an NBC goodwill gesture to the Memphis Cotton Festival, scheduled to open late this week. Took the form of a dramatization of the more-than-proportion of U. S. cotton, of its decline in the face of competition from foreign growers and its recent revival due to expanded uses and increased domestic consumption. Don Anderson, staff scripter at WEAF, Memphis affiliate of NBC, wrote the show. It was produced by NBC's New York staff, with Howard Hueston directing. Ted Jewett was narrator and there was a part of Dr. Josef Himel behind the orchestra.

As friendship-cementing, the program may have had its value. It was mildly informative, although not as much as it might be expected. From an entertainment standpoint it was definitely sub-par, chiefly due to scripting. Story of cotton remained remote and impersonal, without climax and with too much irrelevant detail. It also failed to utilize all the available material inherent in the subject. Production and direction were adequate, while the performances were necessarily typed rather than individualized. *Robt.*

"QUICKCART"
With Buck O'Grady, Bob Hiss
15 Mins.—Local
Tuesday, 12:30 p.m.
PLEMMEYR CARS
Tuesday, 12:30 p.m.
WYLL, Detroit

(Cinema-Michigan)
Broadcast from steps of Fox Theatre Detroit, new auto show booklet by Plymouth auto-dealers at Detroit area distributor country each Friday weekly in addition to theater shows. Though divided about equally between those sending in and those answering "quizzes."

A talkoff of "The I. Q." program has an inter-luncheon. Dick O'Grady, who talks in a good if slow job. Prizes at 15 for each "quiz" answered are cumulative, and show continues after regular broadcast until all of evening's quiz is passed out. Local radio dealers are a weekly "Detroit" question, for which \$25 is allotted for the best question and answer.
Rabbits handled expertly by Bob Hiss, are not inconspicuous. *Pete.*

WHEN PRESSER RUAN
With Norman Field, Joe Burns, Rosemary De Camp, Frank Nelson, Red Mitchell, Larrys Tamm, Gale Gordon, Ted Osborne, Charlie Long
15 Mins.—Local
L. A. HERALD-EXPRESS
Thursday, 3 p.m.
KFI, Los Angeles

Dramatic re-enactment of L. A.'s highly sensationalized cattle-rustle murder started off Heron's show's lineup with Earle C. Anthony station by which space is inserted for time on a no-cash-exchanged basis. As a sample of what may be expected in the series, to run a year if all goes well, it should serve the show's purpose, that of plunging its claws. Get it first in the Herald-Express, and to put in some solid facts for new subscribers. Dramatic incident, however, is along well-known lines and makes an attempt to shake off the old rope-and-ropes formula.

In this "true story of murders when grasses rust," the H-E takes all the lines for saying a murder after the police had shot the book on violence. Reporter dunderbock across a show, follows through and comes up with the killer, who dropped his trail's netting into a box of rattlers and falling in that diabolical plot found her into a hot food to drive. In last production later were the

GENE BAKER
15 Mins.—Local
NORTHWESTERN YEAST CO.
W. W. F., 2 p.m.
WGB, Chicago
(Hays McFarland)

From time to time Hays McFarland has put Northwestern Yeast on the air, and this latest show is a quickie change for a product known as Yeast. Though it was supposedly spelled over the air several times, this reviewer discovered the spelling only upon contact with the NBC press department.

It's a simple program of little consequence, Baker reading some poetry as a cue for a tune. The reading is without particular flair but the singing is good enough. Lyrics accompany at the organ. *Gold.*

scenes of horror by the curtain while she was lowered among the writhing rattlers.

Don Clark is credited with writing and producing and gives it all the look treatment to be found in such type programs. In the end, it's such much players as grab off 15% of the minor dramatic parts in network shows. With more inspired scripting and production this group of performers could make it stand up with any of the dramatic along the Coast. *Helm.*

"PUBLIC AFFAIRS WEEKLY"
Talk, Drama
15 Mins.
Sustaining
Wednesday, 11:35 p.m.
WEAF-NBC, New York

In this educational series NBC has an idea that tackles both the social environment and the imagination, but the technique used in presenting it makes it neither just, but nor good alone. What perhaps is the program's outstanding weakness is its attempt to crowd too many thoughts, social-economic aphorisms and political viewpoints into this 15-minute mold, with the result that the dramatization is neither clear nor sweet. A case in point, as to technique, is the resort to the Greek chorus. Used sparingly it might be effective. Here it's used so much that the chorus not only becomes monotonous, but leads to much verbal clanking by the end. The technical discussion angle was far more deftly handled.

Last week's topic had to do with the idea of the Government and private interests in planning for the future that the lives of American workers will be adjusted to advances in technology. The cases cited were apt enough. For instance, the disappearance of hundreds of sharecroppers and other small farmers as a result of the development of

DEAN HUDSON MUSIC (10)
15 Mins.—Local
LANER PACKING CO.
WYLL, Chicago

Dean Hudson's orchestra is sponsored locally. He keeps show moving in a fast pace, alternating between swing and jazz, with emphasis on the hot. Novelty offerings, however, put over the show. Hudson's orchestra are understated Dixie drawl.

Standard of show caught was novelty. A Hudson composition, "Keep It in," Number opened with members of band including Henry Brown, Ted Lewis, Russ Morgan, and Leopold Stokowski, with rest of band handling "Keep It in" chattering in background. Imitations are corny, but killer-diller finish with number. *Don.*

tractor farming on a huge scale. Also the threat of unemployment to many thousands of Negroes because of the approaching perfection of the "Fast Brax" cotton-picking machine.

Despite the growing trend for a living technique, the producers of this series are due credit for the effort to stimulate thought and possible action. Albert N. Williams is the scripter. Copies of the broadcast in pamphlet form are being still made available to list news. *Odier.*



COLUMBUS

*Welcomes Your
Sales Message
over WLW*

Down through the years the Nation's Station has made many friends in Ohio's Capital and has become a part of the daily lives of its citizens.

Day by day buying habits of Ohio's fourth largest city have just as certainly been influenced in favor of products advertised on WLW—as Columbus merchants and wholesalers can tell you.

COLUMBUS, OHIO

Population, 1930	208,594
Retail Sales, 1938	\$147,400,000*
Wholesale Sales, 1938	\$148,100,000*
5% of Nation's Buying Power (Trading Area)	7,150*
Radio Homes (Franklin County)	80,000

*Estimated by John H. Thompson

NAT'L REP. - TRANSAMERICAN BROADCASTING & TELEVISION CORP. - NEW YORK - CHICAGO

WLW

THE NATION'S

most "Merchandise-Able"

STATION

RADIO SHOWMANSHIP

Community Baladeuses

Good will holiday-spirit has been injected into WFLA's half-hour Sunday program titled "Marching Through Wisconsin," with a military-type parade band providing musical background. Each week the station's producers, interviewers and engineers swing into a selected town with portable recording equipment and secure material on local personalities, industries and points of interest. Editing and coordinating is done upon return to the station and the following Sunday the show goes on the air to the presumed delight of the community visited. Radio first follows up pictorial promotion done previously in The Journal's Sunday religious section.

3 Marks Vs.

A red-hot run of 60,000 copies of record is distributed to visitors by WFLA through the Hotel Gibson, in which the station's studios are located and via the Chamber of Commerce to convention groups and new residents.

Certain greetings from L. B. Wilson, station chief, photos of WFLA studio and transmitter and a list of cover stations.

As Near As WCCO

To promote word-of-mouth comment about the station, WCCO, local CBS affiliate, is showing before Rotary club department store executives of the Twin Cities an 84-page illustrated booklet, "The Story of WCCO." It's 22 inches high, 10 in. wide, the entire booklet fitting into three special suitcases for transportation.

Strictly institutional, the entire booklet takes about an hour to show, the first 18 pages relating the station's growth since 1923 and the remaining 66 pages describing record mechanical improvements, the size of the listening area, effect of the new vertical antenna, artist bureau, CBS program schedule, local programs, results of surveys and other WCCO exploitation.

Ladies Run For Plums

Pl. Wayne. "General Maternity" now commercial at WWOV, sponsored by a ladies' ready-to-wear store uses

Jean Brown and Dan Lee who sing or play numbers of new published song submitted by listeners. If they fail, sponsor awards home to winner. Prize also given for listener who best tells the song title he submits in a sentence.

Interviewing the Mappia

Minneapolis, Minn. Sunnyside Bakery Co. has bought a weekly radio program (20 minutes) on KGOV to plug its Pouchie Bread. Stacey, tagged "Children of Tomorrow," has Jimmy Barker, program director, interviewing youngsters of all ages on their hobbies, activities and ambitions.

Kids in the listening audience are asked to write letters concerning themselves. From these letters winners are selected the interviewers list of next week's program.

Shoe Store's Safety Angle

Buffalo. "Safety drive" phase of the "Children's Hour" on WBBB is responsible for drawing 1,500 persons into the Liberty Shoe Co.'s store in the first two weeks of a month-long drive. Listeners are required to play down safety angle and turn them in to the sponsor for club card and button.

Drive will continue for several more weeks and the chain intends to keep it alive, with a round of the shoe parties, safety rallies, etc.

CKAC ESTABLISHES AN ARTISTS BUREAU

Montreal, May 21. Artists Bureau for French-language talent has been organized at station CKAC with Phil Lafonde, station manager, in charge. Minimum scale for all talent has been established, subject to acceptance by artists some of whom rate above minimum.

Under this arrangement station announcers, vocalists, etc., will hereafter be able to accept outside engagements only if booked through the station talent bureau.

Albany.—Red Trudens, formerly of WNEZ, Saratoga Lake, is in addition to announcing crew at WOLH. He is son of head of Trudens Sasheries, Saratoga Lake.

SHERMAN GREGORY SET

Belmont in Pittsburgh, Vince Callahan Tipped at Boston

In anticipation of Westinghouse's taking over the operation of its own stations July 1, NBC last week named Sherman D. Gregory manager of its owned and operated stations. Gregory has been general manager of KDKA, Pittsburgh, for the past four years.

Gregory's spot will be filled by John A. Holman, who has been leading WEEI-WEEZ, Boston-Springfield, while Vincent Callahan moves up from assistant to head of the latter operation. Lee B. Waller has the newly created post of manager of Westinghouse's stations, Griffith B. Thompson will double from sales manager of KYW, Philadelphia, to general sales manager of all Westinghouse stations.

WALDORF SEEKS LATIN TRADE VIA DX

Waldorf-Astoria hotel has become a shortwave customer of NBC's. Beginning Tuesday (23) the New York hotel will have a weekly quarter-hour show over NBC's two Latin-American outlets, WBCA and WWSL, with Xavier Cugat providing the music.

The announcing will be in Spanish.

Local Announcements Not Aiding Radio Open House Week in Philly

Philadelphia, May 21. The story of good-will that's supposed to be the keynote of radio's annual "Open House Week" is noticeably lacking among Philly's outlets. Instead the air is charged with jealousy and there's plenty of grumbling and griping at the idea. One of the city's largest stations, KYW, is forgetting the whole thing and isn't participating at all. Most of the others are going about with their preparations half-heartedly.

Only station to go strong for the stunt is WCAU and thereby keeps a tale. In charge of the event for the station is Joseph P. Connolly, new promotion manager. Last year Connolly was press agent for WFIL and was the leader of a group that tried to put the whole thing under the station. At that time Connolly called the event "a publicity stunt for WCAU" because the station was hibernating its new studios.

This year most of the stations were out to ignore the "Open House" on the grounds that the response from the public wasn't worth the expense and trouble it entailed. Connolly, however, called a meeting of station execs and told them that WCAU was not to repeat its calamity this year and invited them to co-operate. The others threw the arguments Connolly gave last year back in his teeth, but latter kept his ground and said "The rest could do as they pleased—WCAU was all set." WCAU announced that it would keep its studios open for anyone who wanted to visit but wouldn't spend any money to advertise or promote it. As a special event, however, the outlet is piping its "very-best-of-the-hour" newscasts over loudspeakers in front of the studio building.

WTP is thinking a guide service and special events, while WPEC is planning a series of musical broadcasts in the studio auditorium plus a home economics demonstration for its "Women's Club of the Air."

WFL announced it would co-operate but wouldn't make any special announcement. Persons who wanted to visit the studio "were welcome as usual," studio execs said.

Chizzini in Chicago

Frank E. Chizzini, assistant manager of NBC's recording division, has gone to Chicago to arrange a possible reallocation of personnel for the department in the office there and in New York.

Division on changes will probably be made in about a week. Possible that Chizzini may remain to head the Chicago office.

Black Coffee

In a visit to one of CBS' playhouse-studios the other day the radio director for another agency noticed it was gathered in the director's booth. "I wonder," he remarked to a stagehand standing close by, "who that bunch can be."

"They're all from the same agency," answered the stagehand, "waiting for a dress rehearsal. All she I know about them is they keep me plenty busy hauling coffee for them."

JERSEY CLUBWOMEN PRAISE N.B.C. CODE

Atlantic City, May 21. New Jersey Federation of Women's Clubs (JFWC), 123,000 members, adopted resolution at annual convention here Thursday (21) praising code recently adopted by National Association of Broadcasters as a "notable step in recognition of their responsibility toward the radio audience in promoting an ever higher standard of culture, while safeguarding freedom of speech and of the air."

Women's resolution added: "We acknowledge our individual responsibility in supporting programs of fine quality and condemning those which are unfit, believing that such recognition is a new duty of citizenship which will promote the best interests of radio and preserve the foundations of our democracy."

LOREN WOOD SUICIDES

Head of WCLB, Juliet, Dies by Monocle Puncture

Juliet, May 21. Loren William Wood, secretary of the Wood & Anderson Co., electrical manufacturers' agents with offices here, and head of WCLB, Juliet, Ill., last week killed himself with monocle while seated in his automobile. His body was found on a highway near Juliet. A hose extended from the exhaust into the car. Wood, 34, had been associated with WCLB for three years and before that was active in the local arm, which is headed by his father, Loren M. Wood of Elmhurst, a suburb. The body was taken to St. Louis for burial.

Farnsworth Convention

Fort Wayne, Ind., May 21. Pierre Southeron, general sales manager, has announced that the second annual International sales conference of Farnsworth Television and Radio Corp. will be held June 2 and 3 at the Edgewater Beach Hotel, Chicago.

E. J. Hendrickson has been appointed sales manager of the Farnsworth division (radio receivers). I. C. Hunter continues as head of the sales organization of the company's Caschett Division.

SHORTWAVE IS 50 KW. OR ELSE SEZ FCC

Washington, May 21.

Surrender of frequencies rather than lower the expense required in complying with the rules is threatened by some proprietors of international stations face to face with jumping to 50 kw by July 1. Enforcement of the effective date of the minimum power regulation may enable them to keep going, although there is no assurance the FCC will be disposed to grant more time since the licensees have known since last summer what was expected of them.

Out of the 13 plants licensed for international operation, only two have 50 kw according to latest information. General Electric's WGEI at South Schenectady, and World Wide's WWSL, Boston. And at the end of last week, some of the other 11 had responded to the reminder sent out a week earlier telling them to "immediately" submit requests for the necessary modification of license.

Thought of organized resistance to the rule—which many industry representatives denounced privately when it was made known a year ago—was laughed off in industry circles, but FCC sources said they heard some operators might withdraw from the field, particularly since the rule permitting limited commercialization restricts the opportunity to obtain any substantial amount of revenue.

NBC, CBS to FCC

NBC proposes to comply with the requirements of the commission and will soon file applications for the licensing of the power of its two shortwave stations, WNBC and WBCA, to 50,000 watts. They are now fixed to be 10,000 watts each.

It's understood that CBS will make a similar move in the case of its own WCBX, located in Wayne County, N. J. This one operates at about 20,000 watts.

Alaska Pickup of NBC Shows Okay With FCC

Fairbanks, May 21. KFAR has obtained permission from the Federal Communications Commission to pick up and rebroadcast NBC's shortwave broadcasts on a non-commercial basis. It makes the first tierup of the sort for this territory.

**Write, Wire or Phone
YOUR NEAREST
VARIETY
OFFICE**

**To Reserve Space in the
1940-41**

**VARIETY
RADIO
DIRECTORY**

NEW YORK
154 West 46th St.
NY 10018 9-8123

CHICAGO
54 W. Randolph St.
Central 4481

HOLLYWOOD
1708 No. Vine St.
Hollywood 1141

IN NEW ENGLAND'S Second LARGEST MARKET

Providence and its primary area, to which buying field of 1,000,000 people highly concentrated within a few square miles. Through complete only 9% of the total national population. New England purchases more than 50% of all packaged goods sold in the U. S. A. and Providence next to Boston is New England's most important market ... in Providence

**WJAR
is First**

As the dominant station with a commercial buy load over all others. According to the latest accepted reports on popularity WJAR leads with 62% average ... the next closest station has 42% and the third station 34%. Dominant leadership in such a rich, health-wise field is of primary importance to every advertiser who now channels his products to New England.

WJAR

NEW BARK MID NETWORK

INTERNATIONAL REPRESENTATIVES
WEED
NEW YORK - BOSTON - CHICAGO - LOS ANGELES

LOOKS BAD FOR REV. ULMER

FCC ENDORSES PAYNE'S VIEWS

James Hanley, Defending
Texas Pastor Accused of
Violating Law of Full
Ownership Disclosure,
Says Ulmer Is Victim of
Hitler-Stalin Methods

MAY LOSE ALL

Washington, May 21.

Recommendations of Commissioner George H. Payne were upheld last week when the Federal Communications Commission announced its proposed findings of facts affirming Payne's contention that licenses of three Texas transmitters should be revoked. Charges of hidden ownership, the setting up of dummy corporations and numerous other misrepresentations by Rev. James G. Ulmer, former Tyler, Texas, minister, were found valid by the FCC in imposing probable default sentences on KTRC, Austin; KJBT, Palestine, and KTRB, Lufkin. Similar action against KAJD, Corsicana, KGFL, Brownsville, and KRAM, Houston, is anticipated after the Commission has taken a gander at new testimony gathered by Payne and George H. Payne, FCC assistant general counsel, who recently returned from a second stint in Texas to gather additional evidence.

Over protests from Rev. Ulmer, who charged that Payne was inspired by "venom" when he made his findings, Commission concluded that applicants in the three Texas cases had failed to make full disclosure to the Commission concerning the financing of station construction and operation, as well as the ownership, management and control thereof and that "had the actual facts in this connection been made known to the Commission it would have been warranted in refusing to license these stations."

Starburst

With still more charges expected to come out of Payne's latest investigation against the three additional Ulmer stations, complete blackout for the Ulmer group is expected. Further hearings on the KGFL, Brownsville, case have been ordered—with Washington, D. C., as the arena—at which disclosures undisclosed files reported in the Commission's possession may be heard.

Hidden operations of Dr. Ulmer, executive pastor of the First Christian Church of Tyler, Tex., appeared from Payne's testimony to consist of sales talks to prominent Texans who were induced to become partners in the Ulmer radio enterprises. In several cases the Commission found that the individuals were "led astray," rejoined into appearing as applicants and licensees of the stations in question and—later—left holding the bag while Ulmer controlled and operated the transmitters. Some cases the "partners" only compensation was the satisfaction of eating their names on the applications, according to Payne's report.

Details and squawks were registered by Ulmer when the Payne findings were made public, with the Texas attorney asserting that "pre-

nature publicity" had destroyed the "property rights and the good name and splendid reputation of Dr. Ulmer." "Was all a mistake, the attorney declared, and Dr. Ulmer acted in good faith upon the advice of counsel that it was unnecessary to report operating contracts to the FCC.

"The combined attitude of Hitler and Stalin in their most lawless days of power and condonation of private rights and property do not exceed the attitude and power reflected by the commission in its findings in this case," according to James H. Hanley, former Federal Radio Commissioner and tactician employed by the Texas.

Billy Terry, of WGN, Birmingham, Ala., is recovering from an appendicitis operation at a local hospital.

50 Kw in Open Zone

Albuquerque, N. M., May 21. Grant of 50KW watts to KOB will give Albuquerque the largest powered station for any city of its size in the country.

The new transmitter will be in operation in five months.

Jay Clark East for L&M

Hollywood, May 21.

Jay Clark, producer of Woodbury Playhouse, goes east this month end to handle air production at London & Mitchell home office.

William H. Bowers, newly appointed radio director for agency, takes over the soap show, which commences with Jim Amadio and Gale Page while Charles Boyer similes.

Sim-No-More Policy at KVOS Coaxes Commission's Compassion

Washington, May 21.

Life of KVOS, Bellingham, Wash., was continued last week when the FCC decided to renew the station's papers because of a sim-no-more policy adopted by the management. Spiritually and somewhat upstart career of the station—which has been assigned to the Communist dispatch twice in the past five years—is expected to take a more sedate turn with the resumption of a program called "Newspaper of the Air."

Overlaid with most of the law stirred up in the past.

Newest wrang involved the plea of the Bellingham Broadcasting Co. for a new station, taking over the facilities of KVOS. Considerable of the testimony used in the battle between KVOS and the Bellingham Herald was brushed up for the current squabble.

Although admitting that there can be no doubt that the license prior to July 1937, conducted its station (Continued on page 44)

KSD ST. LOUIS *Gets* FULL TIME on 550 Kilocycles

NBC Radio Red Network

In recognition of KSD's long record of public service in the Middle West, the Federal Communications Commission has granted this station full time on the air, effective not later than July 1, 1940, with the privilege of broadcasting at any time during the day or night without interruption.

KSD Also Has Full 24-Hour Associated Press News Service

KSD now has available the full 24-Hour service of the Associated Press News. This is the first time any broadcasting station has had the full 24-Hour rights to Associated Press. A separate wire system is being used, bringing dispatches direct to KSD news editors.

The Distinguished Broadcasting Station

Station KSD—The St. Louis Post-Dispatch

POST-DISPATCH BUILDING 201 LOUISIANA

1000 WESTERS THE NATIONAL ADVERTISING REPRESENTATIVE

NEW YORK CHICAGO PHOENIX ST. LOUIS KANSAS CITY CLEVELAND



From the Production Centres

IN NEW YORK CITY . . .

Kathleen Burke, formerly in films, made her radio debut last week as Barbara in the British serial, 'The Light of the World'. While in pictures she was belted as the 'Tomb Raider'. She married three years ago and has since had a child. Her husband, Joe Fernandez (and Stanley) opened last week at the Balchew Room, N. Y. Basil Loughran has replaced Don Barker as director of 'Light of the World' and Kathleen Fernandez is now writing the series.

Dorothy Davis, WJJD picture commentator, this week has as guests Milton Berle, Joe E. Lewis and Jerry Colonna. Dr. Irvin Deer, director of Community Service Dept. of the Motion Picture Producers and Distributors of America, slated for discussion on 'Propaganda From Hollywood' on WJJD. Don McNeill, Evelyn Lynne, Jack Baker, Dining Sisters, Samuels and Betty are for appearances at Jannetville (Wis.) Home Show, sponsored by the Gentle and station WJJD. Frank Chasinski is to lead NBC national Radio Reminding department. Louis Lura, author of 'This Land is Ours' on Elmer Reid Winner's 'Off the Bookshelf' program on WJJD for interview.

The Revue will entertain that trainload of congressmen RCA-NBC is lulling from Washington to New York and back. Sidney Muntley, former London radio editor, joined WMCA commentator staff last week. WJJD has been every hour on the hour and the World's Fair's 175 loudspeaker horns are giving it up hereafter.

Doris Sharpe, of Radio Bagley, drew a populous turnout for her cocktail party for program directors and producers last Thursday (21). Joe Hacht describing the Newark International League games for WNEW. Was formerly with WBYC. Group Theatre winds up its contract with the Kane Smith show Friday (24) with its 12th date, a repeat of 'Men in White'. Did move the new assistant to Nancy Weisbord, of William Morris radio department, replacing Maurice Nichols, who shifted to the Court office.

Among the staff men at NBC that explain daytime serial is known as 'John's Little Linda Dole'. Withers Kelley serves it. Lillian (then named director of WMCA studio in the John-Murphy building at the World's Fair). Lella Ray is assistant. Margaret Leavitt wrote the second and final 'We Take Your Word' program of last Sunday (19) over CBS. She regularly scripts 'Gay RV'. Foreign government editors on the war news broadcasts are now known as 'wiremen' by radio men. Such officials are making an increasing practice to join in the two-way air conversations between network representatives just preceding the broadcast. Presumably because of the growing shortage of paper, Canadian Broadcasting Co. press releases are now decreased in length and number.

IN HOLLYWOOD . . .

Kath Higgins and Samma Wesley of NBC teaching all hands along the Coast. Tommy Wright returned last to join the summer at Young & Rubicam home office. He'll be back in September to press-agent the agency's shows. M. H. Harris, Canadian Broadcasting Co.'s station relations chief, looking around. Rudy Valley's Starline show won't be heard here during the troupe's eastern tour beginning June 5. Too much line charge and no market here for sponsored product the reason. Bill Ewing takes Jimmy Newell's singing spot on Union Oil. He's a protégé of Maria Chandler, who is the head song man on the show. Bob Reid writing the original for Southern Pacific's new drama series on KFI. John Clark's lowering now under dog food sponsorship on KICK. Tom Rivers flew in for a look at Maxwell House show. Lauren Campbell deep in discussion with Edward G. Robinson on fall renewal. Jim Thorpe is making a series of films for Fred Markey highlighting his athletic career, which shouldn't lack for plenty to talk about and dramatize. George Volger popped from page to announcer at NBC.

The Four A's Forum

Subject
To What Extent Should Advertising Be Controlled, and by Whom?

Moderator, George Droney

The Consumers' Team

Donald E. Montgomery

Consumers Council, A.A.A.

Colston E. Warner

President, Consumers' Union

Dr. Ruth W. Ayres

Economist

The Advertiser's Team

Stanley High

Editor and author

Fulton Oursler

Editor, Liberty

Anna S. Richardson

Director, Consumers Division

Crescent-Culler

NEW CITIZENS GREETED WITH BIG BALLYHOO

Toledo, O., May 21.
WSPC Toledo, has incorporated a new program to be heard at 10:01 a.m., Monday through Friday, called 'His Majesty, the Bally'.

All the new infants born in the city's eight hospitals are heralded with considerable fanfare. . . . smart musicians, poets, jesters, etc. The program is handled by Walter Patterson.

Ever-Larger Brief Line

Washington, May 20.
Ranks of radio lawyers swelled last week when the following Black-sharps were admitted to practice before the FCC:

John M. Caffery, Jr., and James E. Murphy, Washington, D. C.; Don G. Alar, Olympia, Wash.; David E. Krueger, Brooklyn, N. Y.; Harold W. Lewis, Quincy, Ill.; Edward J. McCole, Worcester, Mass.; Nathan D. Rawley, San Francisco; John F. Ryan, Indianapolis and Francis Ingraham Tucker, Memphis, Tex.

Sin-No-More

Continued from page 42

In such manner generally as to encourage strife and discord in the community. Council decided in its proposed findings that KVOG had 'promulgated regulations' since the last battle which would 'prevent a recurrence of that type of broadcasting'. Also, Bellingham Broadcasting Co. was censured for the task of proving its financial qualifications as a prospective broadcast station.

Kunkel-dren and drag-out fight first began when L. H. Darwin, inventor, started his 'Newspaper of the Air' broadcast. At that time an employee and staunch supporter of KVOG, Darwin took on the Bellingham Herald—opponent for KVOG facilities—in a series of 2 1/2 hour broadcasts which set the town by its ears. One example of the 'Frank competition' into which Darwin entered with the local rag was quoted as follows: 'It will be unnecessary for you to look for your newspaper—a crank which the broadcaster frequently used to conclude the program. Darwin now has turned against the station.'

Other cases of 'political embroilment' were cited in the Council findings, but Roger Jones—manager and 75% owner of the station—was found to have made some effort to delete some of the political stunts from speeches made over his station. In the good old days of 1935, however, plenty of evidence was collected that Jones 'did not enforce the station regulation regarding submission of copies of political speeches in advance.' Result was that statements given by local politicians favored by the station made unusual reading for the Commissioners.

Forgive-and-forget attitude of the Council in reviewing the KVOG license was expressed as follows:

'Recent instances indicate the maintenance of an unbiased attitude on the part of the station's management. Former questionable practices have now been discontinued. In the light of these facts, and since this record does not afford a basis upon which KVOG could be deleted and its facilities licensed to Bellingham Broadcasting Co., we conclude that the public, and public interest, convenience, and necessity will be served by granting the application . . .'

Consumer-Admen Forum

Continued from page 42

refuted, and he spoke of a bewildering 'world of trade names and gang-buster programs.' Product analysis instead of shouting was needed, he said, and he added that the retail customer should fare better with a lot of facts before him similar to those of a corporation purchasing agent, who does not buy on a basis of the optical appeal of an advertising model posed for gaze exposure on the park fence.

Radio Constructive

Later Stanley High agreed that many of the big programs on the air were lamentable, but added that attacks on them, to be fair, should acknowledge radio's constructive contributions to modern life. He credited and thanked radio for the familiarity with the music of his own children.

Fulton Oursler, editor-in-chief of all the Macfadden publications, was

junior Administration, spoke just after Stanley High had ridiculed bureaucracy in Washington, the Federal Reserve, the expense, the dimensions of the growth since Roosevelt came in. High had agreed to discuss that regulation was already itself in need of regulation. It wasn't an easy spot on the bill for Montgomery, but he proved a good speaker, clear, precise, reasonable in tone and while the gathering did not agree with him, they gave him something very close to an ovation for the sincerity and skill of his presentation.

Montgomery hung a challenge at the advertising fraternity. He suggested that the \$100,000,000 underprivileged who have \$20 or less a week for family support were being excluded out of all calculations and that the true promise of good times is some day in finding some way to bring this neglected half into the advertising market. He suggested that advertising talent was in blind bondage to limited purposes and was 'scurrying half a market hall to death' with high pressure and doubtful copy practices.

Basically Colston Warner stressed standards and labeling of goods (i.e., packaging), which is close to his interest in scientific testing. He concluded that laboratory analysis was no complete answer in relation to products containing wheat, milk, natural disagreements can arise even among scientists. The point was, as he saw it, that a great variety of choice on the grocer's or druggist's shelves was no guarantee to the purchaser if there were no clear-cut gradings and if advertising sales angles were considered, inevitable, loaded with phony claims, appeals and other factors of confusion. A Department of the Consumer in the cabinet was his hope for the future.

Raleigh Tests Quicker

Hollywood, May 21.

Quicker based on knowledge of the news was outlined here last week by Bates, Barton, Dunline & Osborn for Raleigh cigarettes. Lee Conley presided as editor-in-chief and five persons were picked from the studio audience to give the answers. High scores rate each and merchandise prizes.

Raleigh now has News Commentator Paul Sullivan on the CBS chain.

ACETATE
Recordings
Processed and Pressed
In Canada
Vertical or Lateral
Also line
Recording of
the highest
Quality
Many
Satisfied
U.S. Clients
Cuspo Company Limited,
Lachine, Montreal, Canada.
Transcription headquarters
For Canada.

DON'T MISS
PALMOLIVE'S

"HILLTOP HOUSE"

STANLEY

MISS JOHNSON

By Adelaide Morrison

Dedicated to the women of America.

The story of a woman who must choose between love and the career of raising other women's children.

WABC-CBS—12:30-10:45 A.M. E.D.T.
78 Stations Coast-to-Coast

Direction BENTON & BOWLER, Inc.
Management ED WOLF, RKH BUILDING, New York

When you want to
sell Michigan . . .
you want the selling
power of

WJR
50,000
WATTS

4 A'S DISCUSS ASCAP-BMI ISSUE

Radio section of the American Association of Advertising Agencies, meeting in convention at the Waldorf Astoria hotel last week, discussed in a closed session the problems presented by the forthcoming conflict between the broadcasting industry and the American Society of Composers, Authors and Publishers over a new licensing contract. All that the group sought to develop from the meeting was information and opinion and not to reach conclusions.

The topic as placed before the agency men in the radio agenda was, "ASCAP's new proposals to networks and stations on materially higher fees." Also, "Broadcast Music, Inc.—Is it likely to solve the problem of high music costs?"

Other subjects aired at this point were:

1. Rates and ratings of the radio stations.

2. What new agencies do for license relations with the music industry?

3. What can be done about the use of transcriptions, including off-the-line recordings?

4. AFSA transcription code.

5. The Radio Writers Guild, recently organized on the West Coast.

6. Co-incident report: Recent methods of listening surveys.

Arthur W. Hobler, president of Deane & Deane, was elected chairman of the association. John Benson was named paid president for another four-year term. Guy C. Smith, of Deane, Smith & French, became v.p., David M. Boland, of Boland, Constance & Gardner, secretary, and E. DeWitt Hill, of McCann-Erickson, treasurer.

Criticizes Dirty Streets, Buff. Mayor Cancels Station's Privileges

Buffalo, May 21. Depressed by what he termed "untrue charges" in a news broadcast, Mayor Thomas L. Hitting cut off WBTV's telephone facilities with police headquarters last week. Phone system is a private one, linking precinct stations, hospitals and other key points.

Broadcast in question criticized condition of city streets. Mayor claimed WBTV made no effort to consult city officials about street conditions before putting their blitzing on the air, so I decided to do a little blitzing of my own.

Ray L. Albertson, WBTV owner, called it a "heated temper." He asserted Sunday (11) stations already had been approached toward getting phone back in. Station made \$20-400 calls weekly over the city-maintained line.

"All we did was complain of street conditions," Albertson asserted. "We didn't blame the mayor but the public works department." Mayor said he called station after broadcast but was told Albertson "was too busy to talk to anyone." Station head said mayor asked for no one in particular, and apologized the following day to staff member with whom he talked. Meanwhile WBTV is checking its news over an outside phone.

WBTV's Stock Increases

Albany, N. Y., May 21. WBTV, Inc., operator of WBTV, Albany, has increased its capital stock from \$10,000 to \$20,000, according to papers filed with the Secretary of State in Albany by Hirschberg, Andrews & Wade, Albany.

Station is owned by Gannett's Albany Times-Herald.

Samuel Gannett, program director of WBTV, Toledo, has been elected 1st of the Toledo Automobile Club.

WBAL
means business
in Baltimore

Choquette's Air Serial Made Into Stage Play

Montreal, May 21. Robert Choquette has completed dramatization of "Pension Veldere" French-language radio serial which has been on air about two years, and is sending legit troupe on road for summer opening at his Hyacinthe, Que.

Another well supervised production and do a little late-nighting when play goes on in nearby towns. Band company of "Pension Veldere" holds cast of eight including Jeanne Aubourg, Judith Jassine, Jean Paul Kingley and Andree Frelan.

Lang, of WHAM, Killed

Rochester, N. Y., May 21. John J. Lang, Jr., 25, technical supervisor of WHAM, was killed in an auto crash May 8. His car had struck a steel girder supporting railroad tracks.

Robert Hemmings, pianist, who was a passenger in Lang's car, suffered critical injuries.

Bob Bailey, WTAM publisher, Cleveland, in Hollywood for two weeks.

Do Folks Smell You?

Pull Mail's blarney, now aired over New York stations in wholesale lots, have become the target of heavy kidding within the trade. The gagster, sometimes delivered in an ultra voice, is as follows:

"Clapnet shines on your fingers are not nice. That is why you'll notice where particular people congregates most people smokes Pull Mail. Independent research has proved that Pull Mail produces less finger stains or no finger stains. Yourself, try Pull Mail critically."

KRSC Due for 1 Kw.

Seattle, May 21. KRSC, radio, given permit by Federal Communications Commission to increase power from 250 to 1,000 watts, has started construction of new transmitter plant and studios, estimated to cost \$25,000. The present 215 foot tower now in use will be moved to new site.

Moves into new set-up Aug. 1.

Mexican Station Builds Itself Entirely As a Service Giving Correct Time

Nazi Hunt On in Mexico

Mexico City, May 21.

Suspicious spend and accuracy with which local Germans learned of the protests at the Canal of the Montserrat and strong suspicion that this dope got to Berlin faster than normally, have prompted the Mexican government to assign G-men to seek a powerful clandestine radio station somewhere along the Guatemalan border; also under cover Nazi ether facilities in and about their city.

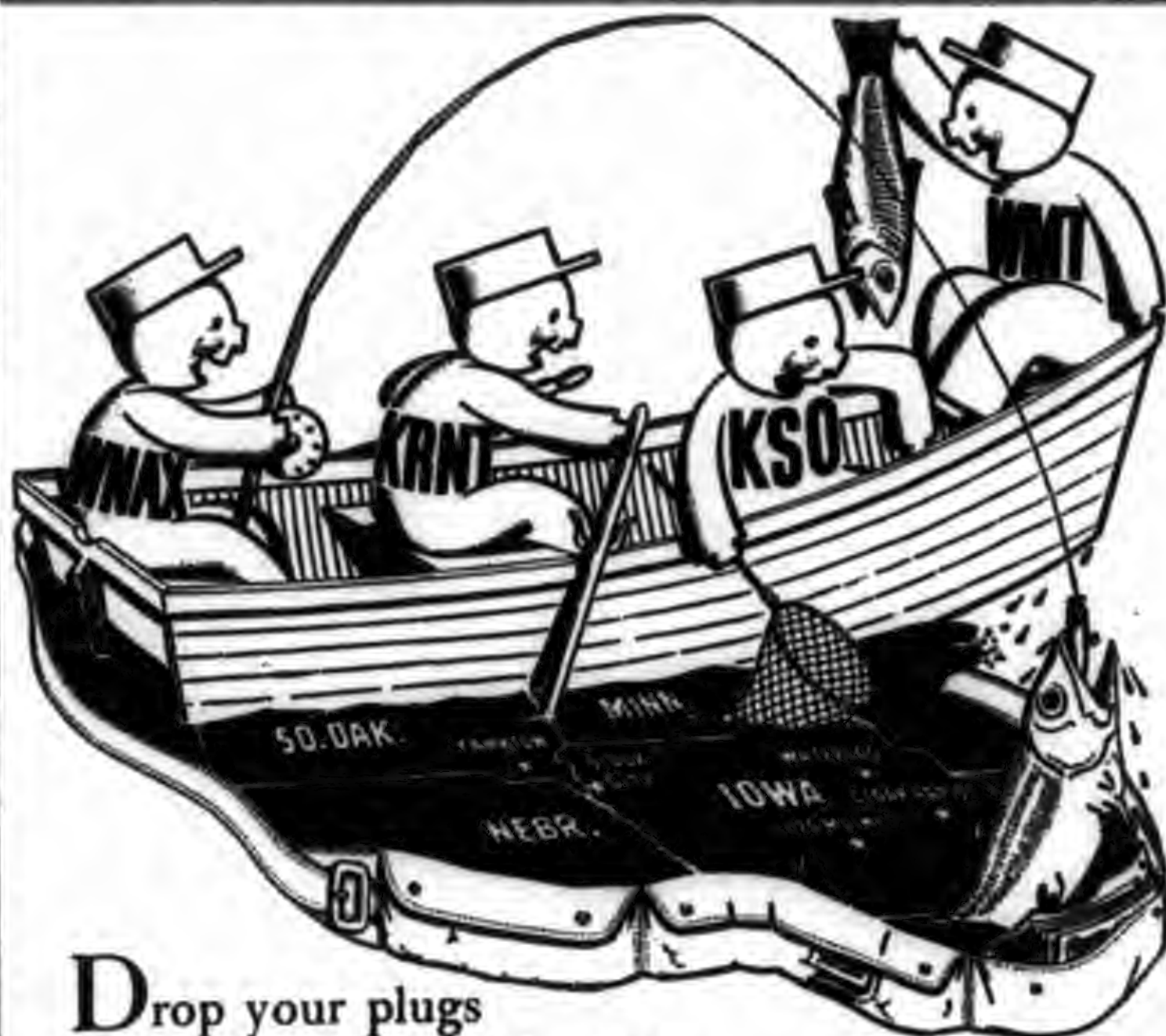
The big Nazi station is suspected to be in or about Tapachula, Guatemalan border coffee center which has a large German colony.

Mexican G-men made a thorough search for under cover Nazi stations in this city soon after the war started. But their efforts were fruitless.

Mexico City, May 21.

XEJC, independently-owned legal station, operates on a policy believed to be absolutely unique. During its transmitting schedule from 6 a.m. to 12 midnight seven days a week, the station broadcasts the correct time at one-minute intervals. Balance of the schedule is commercial announcements, news reports, comment and capsule musical programs.

Naturally the station has no steady listeners, as its broadcasts would admittedly drive anyone goofy after a short time. But it's figured that virtually everyone in Mexico City tunes in for a moment several times a day, as local residents have gotten in the habit of dialing that station instead of keeping a timepiece handy. With the schedule loaded with commercial plugs, it's almost impossible to get the time without also hearing at least one blarney.



Drop your plugs
where you get REAL strikes...

...in "America's Money Belt"

It's always "good fishing" in America's Money Belt, where the folks buy what they need when they need it. Reason? ... they have "what it takes." The cash spawn of this richest farming section in the country is 17% of the entire nation's farm income!

That money is spent, too. Retailers in the area did a business of more than \$1,500,000,000 last year ... which is plenty of fish! You should be getting your share of that business ... you can get it in "America's Money Belt" with the help of The Cowles Stations.

You see, we reach 385 counties in our primary area — counties completely covered by no other medium. Every station of our group does a bang-

up job by itself, so whether you "spot cast" — troll with a single line — or use our "three-way net," you'll find there's no limit to the catch here.

Want to see our season's record? Just write us, today. We have a string of results of which we're mighty proud ... we like to show 'em off.

The Cowles Stations
WMT • KRNT • KSO • WNAX
Approved Nationally by Tax Exam Agents

RADIO BOXOFFICE REPORTS

Baltimore

(WBAL, WCAI, WCBM, WFBR)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	7,022	5,503	2,231	14,756
May 11	7,105	5,594	2,218	14,917
% change	+0.8%	+0.4%	+0.5%	+0.2%

Everything fairly stable hereabouts with little change noted upward or downward. Slight drop in local units accounted by offsetting time used up for last week's *Produce* show. WCBM sold schedule of announcements to *Starting Products* via *Blackie-Sample-Hammert*.

Considerable summer hit in the making at all stations, but no release data yet.

Chicago

(WBBM, WENR, WGN, WEND, WJJD, WLS, WMAQ)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	8,280	5,174	2,552	16,006
May 11	8,255	5,130	2,537	15,922
% change	+	+0.7%	+0.6%	+0.5%

No change. Radioactive little action in town at present, with a few announcements dropping off or coming on. No question that the war and market situation has really slowed down operations in the agencies and advertisers' offices at this time, and those that are in are going along as quietly as possible, while those that are out are assuming an attitude of watchful waiting.

Cincinnati

(WCPC, WKRC, WLW, WSAI)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	4,855	8,334	9,889	13,239
May 11	4,805	8,318	9,881	13,004
% change	+1.2%	+0.2%	+0.1%	+0.7%

Upward of local units, plus some gain in national spot hit, overcome slight drop in network commercials last week to realize an advance for general results.

WSAI took on station break announcements for the local re-sale of *Indie DA Food Store*, also the *Ford Dealers*, for a series of 15-minute programs on an every-other-week schedule. Later moved through Cleveland office of *McCauley-Erickson, Inc.*

New WKRC spot account was for the *Cincinnati Gas & Electric Company* and the *Schurz Awning Company*.

WCPC's budget on local hit, which was rather sharp, included blarney for two department stores.

Denver

(KFEL, KLE, KOA, KVOD)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	7,281	4,208	1,339	12,828
May 11	7,238	4,208	1,451	12,897
% change	+0.5%	+0.4%	-7.7%	-0.5%

KLE new business: *Leeman Auto Co.*, through *Max Goldberg*, four quarter-hour newsmagazines weekly; *Atlas Finance Co.*, through *Max Goldberg*, announcements; *Denver Elks Lodge*, announcements; *Frontier & Gamble*, through *Compton*, six announcements; *Wright & McGill*, seven quarter-hour shows put on by *Isaac Waller Leeper*; *Lakeland Amusement Park*, through *Carl Freilinger*, 12 15-second spots.

KOA new business: *Ray Jewelry Co.*, through *Raymond Keane*, three quarter-hour *Morning Melodians* weekly; *BKA*, through *Lord & Thomas*, *Moore*, weekly, 12 weeks; *P. Lovell*, through *Leeman & Mitchell*, 28 quarter-hours; *Red Dot Oil Co.*, 28 announcements; *California Packing Co.*, through *McCauley-Erickson*, 48 announcements.

KFEL new business included *Puritan Fire Co.*, through *Robertson Agency*, three newsmagazines weekly, 12 weeks; *Barclay Tobacco*, daily quarter-hour, one year; *Brinkley Farm Dairy*, through *Samson Agency*, three chain breaks daily; and 18 announcements of each of the following: *Barrett Business College*, *Delmonico*, *Aaron Denver Co.*, *Larner Bros Co.*, *New York Furniture Co.*, *Milner-Schaeffer Co.*, *Wassick Auto Co.*, *Albini Pharmacy*, *Huntington Lohr*, *U-Drive-It System*, and *Conroy Realty*.

Des Moines

(KHNT, KSD, WHOI)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	7,440	3,113	4,715	15,268
May 11	7,209	3,272	4,845	15,326
% change	+0.8%	-4.9%	-2.7%	-1.2%

HOW UNITS ARE FIGURED

Dollar volume is omitted from these reports. So, too, are the breakdowns of individual stations. Grouped market figures only are given. One minute of commercial time is figured as one unit. Thus a sponsored hour is 60 units, a half hour 30 units, and so on.

Checkbooks, time signals, spot announcements in participation programs are counted as one unit each.

Detroit

(WXYZ, WJBL, WJR, WMBL, WWJ, WXYZ)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	8,222	12,080	4,621	24,923
May 11	8,314	12,172	4,621	25,107
% change	-0.1%	-0.8%	-0.0%	-0.7%

Our continuous status quo, slight gains at couple stations being balanced by similar losses at other outlets. *Madison Furniture Co.* is bankrolling *Radio Amateur Hour* over *WJBL* every Friday evening.

Hartford

(WBOC, WTVT, WVIC)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	7,218	2,054	1,389	10,661
May 11	7,037	2,059	1,341	10,437
% change	+2.5%	+0.2%	+3.6%	+2.1%

Kansas City

(KCKB, KCMH, KJRH, KMBL, WDAF, WBB)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	6,475	6,023	6,786	19,284
May 11	6,520	6,001	6,740	19,261
% change	-0.7%	+0.3%	+0.7%	-0.1%

Fluctuating best describes the K. C. market, but changes slight on all fronts. Two stations reported almost identical figures with those of last week, and others listed nearly same totals with slight changes in allocations. Through the week market almost inactive.

Los Angeles

(KECA, KFI, KPFB, KJL, KMPC, KNX)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	10,372	12,321	1,644	24,337
May 11	10,718	11,837	1,782	24,337
% change	-3.2%	+4.1%	-7.7%	-0.5%

National spot only department to show a gain, the others being off slightly. Don Lee's *EDL* picked up 18 quarter-hour programs for *Union Pharmaceutical*, through *Sherman K. Ellis*; 28 announcements for *Schaefer* last week, through *E. H. Allen*; 12 five-min. programs for *Levin Strategic*, through *Charles Mayne*; 12 half-hour programs for *Joe Lewis Corp.*, through *Blow Co.*; four spots for *Seas-Bedrock*, through *Mayers Co.*; 25 one-min. spots for *Yellow Cab*, through *Rafael Rhodes*; three announcements for *Fifth Street Store*, through *Mayers Co.*; 48 announcements for *California Packing*, through *McCauley-Erickson*, and six announcements for *Conventions, Inc.*, through *Hillman-Stone*.

KFI added 12 half-hour dramatic programs, *'All Aboard'* for *Southern Pacific*, through *Lord & Thomas*; 12 participations in *Bridge Club* for *Maple Furniture*; 48 participations in *'Art Baker's Notebook'* for *Handrick Fur Sales*, through *Nella Book*. Sister station *KECA's* additional hit included 48 quarter-hour programs, *'Views and Reviews'* for *Bulluck's* department store, through *Dana Jones*, and 48 one-min. spots for *Del Monte* pineapple, through *McCauley-Erickson*.

KPFB picked up five quarter-hour programs and 21 time signals weekly for one year for *Davis Bread*; six quarter-hour programs weekly for 12 weeks for *Budget Finance Plan*, and eight announcements for *Broadway department store*, through *Barton, Barton, Dunstun & O'Brien*. *KNX* sales chart was blocked out for 48 quarter-hour programs, *'Editor's Daughter'* for *Glenn Miller*, through *Don Miller*; 18 five-min. *Spot Headlines* for *Luxury Cars*, through *Larkwood-Sharkeff*; nine one-min. spots for *Broadway department store*, through *Lee Ringer*; 18 time signals for *Legendary Bakeries*, through *Leam Livingston*; 12 quarter-hour musical programs for *Marina Bag Food*, through *I. F. Wallis*; 18 participations in *Fletcher Wiley Combination* for *Hygiene Products*, through *H. W. Ayer*, and six participations in *Wiley Condo* for *May Co.*, through *Millon Weinberg*.

New York City

(WHR, WMCA, WHEW, WGR, WQXR)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	750	8,200	13,779	22,729
May 11	750	8,000	13,631	22,381
% change	+	+2.5%	+1.1%	+1.5%

* No change.

Salt Lake City

(KSL, KSL, KUTA)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	6,511	2,831	1,343	10,685
May 11	6,577	2,807	1,343	10,727
% change	-1%	+0.8%	+	-0.4%

* No change.

San Antonio

(KABC, KMAC, KOFD, KTTA, WQAI)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	5,880	7,214	2,280	15,374
May 11	5,778	7,403	2,234	15,415
% change	+1.7%	-2.6%	+2.0%	-0.3%

Big is down in all classifications this week, with national spot showing the biggest drop.

Devils Glass Co. renewed its weekly hour and a half of Spanish music, and last week celebrated its sixth year on the air. KABC added *Household Furniture Co.*, direct, 30 announcements, and *Swift & Co.*, through *J. Walter Thompson*, one 30-min. spot on *Midnight*.

WQAI new hit includes *Krueh-Dreyer Home Appliances Co.*, direct, 34 announcements; *Pig Stand*, direct, renewal of 30 announcements; *Walker Furniture Co.*, direct, seven announcements weekly, 12 weeks; *Johnson Beauty School*, 18 announcements; *Dewey Heights Church*, 18 Sunday morning quarter-hours; *Parker Service Co.*, renewal of half-hour weekly; *Western Talcum Co.*, through *Potts-Turnbull*, announcements on *Luna Bender's 'Woman's Page of the Air'*; *Clyde Smith*, candidate for *Railroad Commissioner*, using half-hour weekly on *Texas Quality Network*.

San Francisco

(KFRC, KGO, KJBB, KPO, KSPD)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	6,420	2,207	1,320	10,947
May 11	6,408	2,176	1,301	10,885
% change	+0.2%	+1.4%	+1.5%	+0.5%

News Item, (wholesale grocery), through *J. H. Diamond Agency*, renewed quarter-hour *'Prime Basket'* quiz for 12 weeks on *KFRC*; *Gardner Brewery*, through *Northwest Radio Adm.*, renewed for 12 five-min. *ET's Starline Corp.*, through *Erwin-Waxy*, announcements.

KSPD new hit includes *Legendary United Bakeries*, through *Leam Livingston*, nine 30-second spots; *San Francisco Peninsula*, 12 announcements weekly; *Par Soap Co.*, through *Yamashita-Elliott*, six months' participation in *'Thousandth Protective League'*; *San Francisco County Council Veterans of Foreign Wars*, announcements; *National Radio Association*, through *Allied Advertising*, participation in *'Twin Patrol'*; *Guarantee Union Life Insurance*, through *Edward Stadel*, quarter-hour programs; *'It's a Fact'*; *Kilpatrick Bakery*, through *Earl Rheinhart Agency*, three announcements daily.

Seattle

(KIRO, KOL, KSKC, KXA)

Week Ending	Network Units	Local Units	National Spot Units	Total Units
May 18	4,340	3,883	781	13,004
May 11	4,510	3,721	801	13,032
% change	-3.8%	+4.3%	-2.5%	-0.4%

With two stations, KIRO and KSKC, both getting good light from *FCC* for power boosts, and *KOL* consistently expanding *Chumley* show as construction of new transmitter, Seattle seems are readying sales stories in effort to get more national spot hit.

New hit on *KOL* included *Clifford Gas*, three quarter-hour *'Jimmy Allen'* *ET's* weekly; *Paul Electric Co.*, 10 announcements daily; *Che Bros. Furriers*, three announcements daily; *Standard Service & Tire Co.*, three quarter-hours weekly; *City Light Co.*, two quarter-hours weekly.

GETS PART OF WJBK, DETROIT

Detroit, May 21.

Art Croghan, who took over sales department of station last September, has purchased an interest in WJBK here, according to Manager James F. Hopkins.

Before joining local 206-watter, Croghan was national sales manager for *WGOY*, Minneapolis, and sales manager of *EWK*, St. Louis. Croghan, whose six-year contract still is in its first year, has been given credit for approximate 30% increase in WJBK's hit alone last fall.

Try—Cecil Walker, for a time announcer on *WGOY*, Albany, has come from Syracuse to join the staff of *WTRY*, Troy.

Sponsor Gets Extra Hour When Rain Delays Game

Cincinnati, May 21.

Baker Baking Co., which bankrolls a quarter-hour *Radio-to-the-street* series on *WCAI* ahead of broadcasts of the *Reds' National League* games, enjoyed an extra hour on the air Thursday (18). The *Cincinnati-Brooklyn* tilt that afternoon was delayed 18 minutes by rain. Dick Gray, one of the station's sportscasters, who conducts the *Radio-to-the-street* series from the *Hotel Gilman* lobby, had the green light through the waiting spell and filed the gap immediately.

When the contest got under way, Gray moved to the *Crosby* studio and, as per daily routine, assisted *Roger Baker* in a play-by-play account of the game.

HARD TO PLEASE 'EM

Can't Invent New' Explanation Doesn't Satisfy Canadians

Winnipeg, May 21.

After weeks of comparative stagnation station officials have suddenly found themselves the victim of a barrage from listeners howling about newscasts. Current squawk from dials is that while broadcasts are plentiful there is too much repetition in news. Telling 'em news can't be manufactured doesn't seem to make any difference they still keep hating and hollering. On the other hand officials are having a tough time on their own trying to revise a schedule already badly prepared with special newscasts both from *Canadian Press* and the *British Broadcasting Corp.* Latter organization has increased newscasts in Canada recently.

Mystery Series Ends

After Running 7½ Yrs.

Cincinnati, May 21.

'Unsolved Mysteries,' sponsored by the *Ken-Rad Tube & Lamp Corp.* on *WLW* for the past seven and one-half years and claimed to be radio's oldest detective mystery program, came to an end Sunday (18) with the broadcast of its weekly 30-minute status. Starting May 26 the bankroller will replace with *William Hunter*, foreign news editor of the *Cincy Enquirer*, who is a newsmen on the air.

During the run of *Ken-Rad's* mystery series, *Bob Maly* and *Edward Carter* and their successors on the *Crosby* staff scripted 200 different fictional murders.

VMA Gaffels, from Toronto, in Winnipeg to assist in building shows for *Canadian Broadcasting Corp.* during summer months.

WIRED RADIO DUE IN JAPAN

Tokyo, May 1.

Wired radio is slated for introduction in Japan's leading cities next year. It will be available through either telephone lines or the electric circuit. In addition to a loudspeaker all that will be necessary for the pickup is a device that can be attached to telephone lines or inserted in a wall outlet at a cost of yen 4.00 (10 cents).

The program will be fed from master receivers in the plant of the telephone or power company. There will also be a recorded service originated directly by the two companies, and radio set owners will be able to get this service through a special attachment to their receiver. Test operations will be conducted this fall.

WB Allows MCA Back Into Offices But Warns Against Fancy Footwork

The Warner Bros. vs. Music Corp. of America "trial" was pushed up last Thursday (18) with MCA personnel back in WB's looking office Monday (19) "on probation." The dispute came about when WB accused MCA of a "double-cross" because it booked Orin Tucker's orchestra and Bonnie Baker into the Paramount at a time when negotiations were still on for a four-week date at the Strand, on Broadway.

The pipe of peace was smoked at a meeting between Joe Bernhardt, general manager of Warner, and Bill Stala and Charlie Miller, MCA men. Bernhardt said that MCA officials that WB was not going to be a victim of "kiting salaries," Stala and Miller, however, told the WB official that the entire Tucker-Baker matter was strictly a "misunderstanding."

Crux of the battle was Paramount signing the Tucker test for a total of \$25,000 while WB's booker, Harry Meyer, was still carrying on negotiations for a four-week booking at the Strand for a total of \$25,000. WB accused MCA of inducing artificial competition between the two houses for the band, while MCA claimed that WB had failed to make good a promise of playing the "All Star and Heaven Time" (WB) film, starring Betty Davis and Charles Rugg, with the band. The film, according to WB, was booked into the Radio City Music Hall when MCA kept stalling a final signature to a contract, with "Brother Orchid" (WB), starring Edward G. Robinson, substituted in the negotiations. There became a question of starting date, WB asking for June 21 and MCA insisting on June 28, because of Tucker's out-of-town broadcasting commitments, with MCA then setting the Paramount booking.

WB was previously proved at MCA for booking Horace Heidt into Lure's State, another Broadway opposition house, for a total of \$25,000 for two weeks (June 15-27) after paying \$25,000 for three weeks. The Tucker matter came a couple of weeks later and prompted Bernhardt's letter to MCA last week telling all MCA bands, acts and other attractions from WB theaters everywhere.

The Tucker-Baker Saga Pittsburgh, May 21.

Just a little more than three years ago, Orin Tucker band played the William Penn Urban Road at just a little above scale and tried to line up a couple of theatre dates in this territory at any price following the hotel engagement. There wasn't a single taker, however. On June 14, some trouble, some band and some go resulted. Bonnie Baker, will knock down \$18,000 a week at WB before the Monday.

Practically same thing is true to land that will provide Tucker at Stanley, Jimmy Kay's. Just two years ago, Kaye was drawing around \$200 weekly at Bill Green's residence, where band's clinic started as result of extensive air time over Mutual. When Kaye came back this time, his paycheck will be 10 times the old amount.

Stanley has Glen Gray current, with Jan Savitz following him in Friday (24) and a unit show coming between Savitz and Kaye.

Jimmy Peyton Switches To Niterly Mgr.-Maestro

Pittsburgh, May 21.

Jimmy Peyton, veteran Pittsburgh maestro, has gone into active management, taking over active operation of Red Horse Tavern in nearby Shadyside, O. Peyton, however, hasn't given up the habit, installing his eight-piece outfit at the spot he is presently managing.

Peyton was the orchestra leader at the Plaza Cafe here for three years until that spot had its home license revoked for sales irregularities a month ago.

Jack Leonard's Show

Jack Leonard, ex-Tommy Dorsey vocalist currently singing on CBS entertaining shows, has been signed to end four sides for Columbia records. What label he'll be used on has not yet been determined. He'll use an eight or nine-piece band as background.

But Not New Waltzes

Talk of the waltz's comeback is all right but the music publishers and songwriters deny the leaders' lack of courage in plugging new waltz material.

Stroome waltzes and stuff like "Vienna, City of Dreams" get those performances, and in a popularity that ain't on plug.

MCA AUDITS A PAR, N.Y., LOSS

Music Corp. of America will be stuck for the difference in salary between the bands of Charlie Barnet and Kaye Cugat at the Paramount theater, N. Y., because its theatre and location department missed wires and booked Cugat into both the Fox and Waldorf-Astoria hotel, N. Y., at the same time. Barnet opens the Par for two weeks today (Wednesday) in place of the advertised Cugat, who was unable to arrange satisfactorily a routine of doubling between the theatre and the hotel. Barnet will, however, double from the nearby Lincoln hotel, where his group is on location.

Par would have paid Cugat \$3,200 and it's paying approximately \$4,000 for Barnet. MCA will back up the difference in the Par as well as paying to change the advertising which already had been issued to benefit Cugat. Latter band is not out entirely, but will fill the commitment at a later convenient date.

Cugat opened the Waldorf stand last week (18), replacing Orin Tucker.

Musicians Tilt Scale For Coast Gay Spots

Los Angeles, May 21.

Upward revision of scale for 1940, affecting ballrooms, night clubs and kindred spots, has been put in effect by Musicians Mutual Protective Association, Local 47, to become effective by June 1. Schedules in addition to ballrooms take in all beach clubs, beer gardens, cafes and night clubs, cocktail lounges, dance and dance halls and hotels.

Minimum of \$5 per man for one hour single engagements is provided, with price not ranging up to \$10 per day for a 12 hour day, comprising four sessions. Overtime is fixed at \$1 per half hour or fraction, with after midnight overtime set at \$1.25 for like period.

Duchin Grooving

Eddy Duchin's orchestra shifts westward in midsummer to open a stretch July 2 at the Casanova Dance of the Ambassador hotel, Los Angeles. Duchin is currently at the Plaza hotel, N. Y., where he closes May 29.

Between the band plays dates in the south and midwest. Does two days at North Carolina State, Raleigh, May 26-27; June 4, Hampton-Sidney, Va.; 8-7, Washington and Lee U. at North Carolina; 11, Oglethorpe U., Oglethorpe, Ga.; 14, Fordham U., New York; 17, Harvard U., Cambridge, Mass.; and June 21 opens a stay at Virginia Beach.

Stop Negro Tragedy

Memphis, May 21

Quick action by fire department probably prevented a small-scale explosion of the recent Negro demonstration disaster at Stitches, Miss., when the local Brown Derby was swept by flames last week.

Blaze destroyed the roof of the Negro dance spot, badly damaged the club rooms and ruined the furnishings. No one was injured, the firemen arriving in time to clear exits quickly and permit easy escape by the 100 dancers.

Luna Park Starts Band Policy With Red Norvo

Luna Park, Coney Island, N. Y., announced reserve starts a same band policy for the summer May 28. First band in will be Red Norvo, set for four days, followed by Gene Krupa for one day June 2.

Date will be Norvo's first with the new nine piece band he recently put into rehearsal.

BANDS ALL OFF IN LINCOLN

Lincoln, Neb., May 21.

Orchestra week was more low grade for national names and territories alike here. First to land was Duke Ellington (14), who went under the required 4-4 need with \$713 at \$1.10 per person. Next to take the test both was Tommy Tucker (14), at \$10 per, who got only \$200. Sam Morgan, normally a solid gater, at \$1.25 per, got but \$200, cheating from a \$250 guarantee in a 50% contract, which barely broke the house even.

All these bands played the Turnpike Casino, E. H. Pusey's out-of-town legerie. Buddy Fisher, at Pusey's downtown Antelope Park, took it on this two nights running at \$10.

Atty., Defending Divorce Action, Say Ben Pollack Lost \$212 on Inn Date

Chicago, May 21.

Superior Court here last week stayed temporary alimony of \$100 weekly for Mrs. Doris Robinson Pollack in her divorce suit against orchestra leader Ben Pollack. Judge also granted her additional sum of \$750 for attorney's fees.

Attorneys for Mrs. Pollack, who is suing for divorce on grounds of repeated cruelty, stated that Pollack got \$7,000 for his orchestra's four-week date in the College Inn of the Sherman hotel, but Pollack's lawyers came back with yelp that band-leader lost \$113 on the engagement.

ARTIE SHAW SOUNDING OUT FORMER BAND MEN

Artie Shaw is mulling the thought of returning to the popular band field whenever a film he is getting set to make for Biograph is finished. And if he does he may be at the head of almost exactly the same band that he walked out on last fall.

One of the members of Shaw's outfit, which has been scattered, last week sent word to every player who was in the band at the time it passed out asking them would they return if the leader wanted to reform the group. He then shipped a letter to Shaw, who's on the Coast, telling him that every man was willing. Shaw's 11-piece outfit, with which he has been riding rounds for Victor, was slated to a 12-piece group for his last recording date.

Only one of the ex-Shaw musicians who didn't get one of the wires re-starting anew was Tony Pastor, who has formed a band of his own. It's currently at the Cafe Mamama, Culver City, Cal.

Clinton, T. Dorsey on 35c (Also 75c) Discs for Jukebox Qualifying

Beginning next month the Larry Clinton orchestra will record for both RCA Victor record labels, the Bluebird and the Victor. Up to now he has been on the Victor exclusively. New contract, which calls for his services for both labels, sets a precedent in the platter business and is obviously designed to overcome the problem of a band on the Victor getting into the new machines. Comparatively few are inserted in the juke boxes because of their cost.

Clinton's arrangement with Victor calls for a one-year pact effective June 1. He's to make 25 of his own originals for the higher priced plat-

Stems of MCA See Warner Peeve As Implied Compliment to Office

How Bands' % Pays

In line with the editorial in last week's VARIETY, which suggested that the higher-priced bands play themselves no percentage to prove their drawing power, the current gross of Orin Tucker's arch with Bonnie Baker at the Fox, St. Louis, further indicated the feasibility of such a plan.

Tucker with demands the same guarantee from theatres as does Kay Kyser, also managed by Music Corp. of America. Kyser played the St. Louis Fox only a few weeks ago and grossed \$25,000, getting \$18,500 as his share. Currently, Tucker won't top \$25,000 in the same house, but still coming out with a healthy chunk of \$14,000.

PAUL WHITEMAN SUMMER PLANS

Paul Whiteman's orchestra is currently on his weeks' notice, as demanded by union rules. It will temporarily disband while the leader goes to the Coast to make a film of "Strike Up the Band for Metro." He will take five or six of the key men from his outfit with him and fill out a group around them from studio musicians for the picture making. Picture is scheduled to roll about June 1. When the film is completed he'll vacation at his Swanton, N. J., farm until July 8 when the band opens a stand at the Ritz Hotel, Boston.

There's a deal in the works currently for the William Morris Agency to handle bookings for the band, which is now done direct from his own office in N. Y. If such a thing goes through it's not expected to disturb his personal office setup. Another deal involving Whiteman's leading a studio band out of Chicago for the Coronation Milk radio program is pretty close to being set. That would have a further effect on the Whiteman orchestra.

Jimmy Dorsey Pays Sub At Pennsylvania, N. Y.

Jimmy Dorsey orchestra will double from the Pennsylvania hotel, New York, into the Strand theatre, N. Y., for three weeks June 1. Outfit will have the Edward G. Robinson film "Brother Orchid" as background. Dorsey himself will pay for a rumble band which will replace his outfit in the Penn's Cafe Rump while he's busy at the Strand.

Dorsey's group will probably remain longer than the originally booked 12 weeks at the Penn but will not, though the hotel secretly desires it, stay all summer. Band shifts to the hotel's roof garden destination are (25).

W. H. Stala, v.p. of Music Corp. of America, takes the attention on the Joe Bernhardt (Warner Bros.) block at MCA, that it's perhaps a tribute to his office that talent buyers are pestered through prices going up. The same thought is echoed by J. C. Stein, pres. of MCA, who triumphed his N. Y. office from Beverly Hills that the situation whereby Orin Tucker-Bonnie Baker was the center of a trade squabble between Warner's Strand and the Paramount, both on Broadway, smokes up the great need for band talent in these days of dwindling gross.

Both MCA top execs emphasize that the present-day vaudeville may be making the same mistakes made by yesterday's vaudeville moguls, E. F. Alton, et al. Then they refused to recognize the possibilities of radio, and any act doing a turn on a local radio station (that was before commercial grand-theatre were a factor) or even if taking a low in a city, could be cancelled summarily.

Talkers that keyed vaudeville and now radio has been making inroads on the picture house. For a time, though, the cinema saw the wisdom of making it as the same values created over the air, and looked same bands with favorable results. Stein says, "Why the very same last week when you represented Bernhardt's peers at MCA, plus your own editorial which likewise didn't put us into any favorable light, you had a front-page feature story emphasizing how effective bands have been for the N. Y. Strand and Paramount."

"Personally," he continued, "what I did for those two Broadway houses isn't enough, I think, for the general welfare of the business. Let's forget Broadway. I'd like to see Lure's opening up Memphis, or Warner's in Hollywood, or Paramount in Atlanta or New Orleans, and the other circuits opening up spots for bandshows in lesser key cities. And I don't mean just for the hot attractions of the moment, such as Orin Tucker, or the Dorsey, or Glenn Miller. We've a lot of good bands like the Dick Stattons, the Everett Ruessells and the Frankie Masters around who could be of value to the business if given a chance. But no, they all want what is the hottest thing at the moment. They're afraid to give a showman opportunity to the lower combinations."

Lure's State on Broadway is joining the band parade on the heels of the WB Strand and Par moves, and this is set up by Stala as an indication of possibly extending the vague and widening the field.

Hartford Spot Reviews Policy, Strictly Local

Hartford, May 21.

Capital Park Casino has dropped its semi-same policy and is using a local band two nights (Saturday-Sunday) a week. Alvin Ray bowed out on Sunday (12) when an MCA break-in part was suddenly terminated.

Business has been bad.

Restyled Weeks Opens

Kansas City, May 21.

Asian Weeks inaugurated a new kind in its engagement here last week at the Terrace Grill of Hotel Macdonald. Present crew is a newly styled and aimed primarily at hotel dates as a direct about face from the former swing, brass style he used for 15 years.

But at the Grill was up somewhat over those of previous leaders, Reggie Childs and Al Kavelin, both of whom garnered favorable reviews. K. C. exception taken by Weeks at good men in his change, and intends hereafter to play only hotels and ballrooms.

Caesars' Buffalo Date

Buffalo, May 21.

Some 200 whites watched while 1,500 Negroes joined in Caesars' music at tonight's shuffle in Broadway and Sunday (12). Dorsey tap was the pre-sale, the at the door.

Proceeds will run summer camp for Negro YMCA.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by some bands in various New York hotels. Bands listed are only where the band is the main attraction for supper. Dinner business (7-10 P.M.) not noted. Figures after name of hotel give room occupancy and cover charge. Larger amount designated covered and holiday price.)

Band	Hotel	Cover	Room	Total
Larry Clinton	New Yorker (100)	\$1.50	1	2.45
Jimmy Dorsey	Pennsylvania (100)	\$1.50	4	2.90
Eddy Duchin	Plaza (100)	\$1.50	4	2.90
Shirley Hall	Biltmore (100)	\$1.50	10	2.90
Frankie Masters	Bowling Green (100)	\$1.50	10	2.90
Ray Kinney	Lexington (100)	\$1.50	7	2.90
Charlie Barnet	Lincoln (100)	\$1.50	3	2.90

* For four show included.

On the Upbeat

One Archibuteo died at Edinboro, Pa., early in June for 48th Gull-in-society.

Amelia (Richard) Ross has moved and is back in New York City, and is back in New York City.

Gordon Bennett's orchestra is now broadcasting on NBC (and via WSAI) from Restaurant Continental, Hotel Netherlands, Cincinnati.

Lee West, ex-drummer in Lee Zeller's orchestra, has joined Clarence Farnham's KTW band. He'll be replaced by Ed Carey.

Benny Bone opens June 15 at the Palace Room Band Room, San Francisco, replacing Ray Noble and his orchestra.

Bill Aersall, KFTZ, San Francisco, musical director, reports his engagement to conductor for the annual pageant and Minnie Play at San Juan Bautista this year June 22-23.

One Archibuteo follows Benny Gorman at the Mark Hopkins, Fresno, June 29 for a two-week engagement.

Shep Fields to follow Eddie LeBaron at French Terrace of Baker Hotel, Dallas, June 27. LeBaron opens the next May 28.

Amos Weeks in at Plantation Palm Club, Dallas.

Benny Bone and his crew heading north at new Blue Room, Dallas.

Chas Noble and orchestra at Kidd Springs, Dallas.

Curt Krutal to follow Hummel Brothers band at White Rock Silver-bell, Dallas, May 28.

Club LMA, Dallas, featuring Art Bilton's crew.

Knights of Note (4), with Lady Bonita, who recently closed a 10-week engagement at the Jefferson.

Arma Rink, Saskatoon, for Jimmy Dorsey three weekly this summer.

Ellis Fitzgerald band plays the National Air Carnival at Birmingham, Ala., June 1. First time colored band been used on the date.

Sped Murphy now using Ray Lawrence as vocalist on the Saturday morning NBC band program. She was formerly on Lucky Strike's Hill Parade.

George Olsen band shifted from Music Corp. of America to the Wm. Morris agency band dept. Down for three weeks at Elitch Gardens, Denver, starting July 11.

Berta Ray took over the vocal spot with Bob Crosby. She's from WLM, Cincinnati.

Bob Chandler down the Frick Bandwagon since June 1 to 23. Band opened at Elmer House hotel, New York, last week.

Great Swaps plays the Dancing Campus at the New York World's Fair for two weeks beginning July 2.

Tommy Stark no longer road managing Glenn Miller. His place taken by Herbert Miller, brother of Glenn.

Boston Riders out of Al Donsbach group. Riders only joined Donsbach with no more gigs.

Charley Spivak back in St. Paul, Minn., 11. Band is in New York after closing at Sign of the Cross, Cincinnati, last week.

Jack Tinsbergen and his instrument truck last week near Parkersburg. (Continued on page 51)

Band Bookings

Will Bradley, June 1, Washington & Lee U., Lexington, Va.; 8, Dorsey Park, Allentown, Pa.; July 12, George F. Pavilion, Johnson City, N. Y.; 13, Hershey Park, Hershey, Pa.

Duke Ellington, June 1, Army, Charleston, W. Va.; 17, Rocky Mount, N. C.; 21, Met Opera House, Philadelphia, Pa.; 22, Navy Ballroom, N.Y.C.; 23, Rocky Spring Park, Lancaster, Pa.; July 2, Grand Theatre, Chattanooga, Tenn.; 4, Nacm, Ga.

Ernie Light, May 25, Dorsey Park, Allentown, Pa.; June 4, Mandelstam Club, Cincinnati, Ky.; 17, Triquet B., Cleveland, 13, Hershey Park, Hershey, Pa.

Teddy Powell, May 22, Avon Theatre, Watertown, N. Y.; 24, State Theatre, Little Falls, N. Y.; June 1, Dorsey Park, Allentown, Pa.

Bob Zurke, May 28, Clarkburg, W. Va.; June 13, Hershey Park, Hershey, Pa.

Minetti Ayres, May 26, Crystal Beach, Vermillion, G. 22, Brownsville, Pa.; 23, Toledo U. Inn, Triquet B., Toledo, 23, Swiss Garden, Hildesheim, G.; 24-June 8, Conny Island Park, Cincinnati.

Kare Kallikors, June 15-July 12, Henry Grady Hotel, Atlanta, Ga.

Jerry Blair, June 13, four weeks, Transcend, Henderson, Ky.

Woody Herman, May 25, Philadelphia Country Club, Philadelphia; 28, Pleasure Beach, Bridgeport, Conn.; 30, Randolph, Tenn.; 31, Georgia Tech, Atlanta; 2-4, Stanton Military Academy, Stanton, Va.; Kanawha, Va.; 8, Danville, Va.; 7, V. P. L. Markburg, Va.; 8, Hershey Park, Hershey, Pa.; 10, D. of Virginia, Charlottesville, Va.; 13, Western College, Wexler, G.; 14, week, Westwood Garden, Detroit.

Music Notes

Dave Gensel has resigned from the professional department of ABC Music.

Victor Young scoring Cecil B. DeMille's "North West Mounted Police" at Paramount.

David Scott handling the musical scoring for Metro's "Phantom Raiders."

Benjamin Dave Oppenheim quit town for the Coast in a hurry due to the death of his father, of his wife's father. Wife, who's in a Long Island mental institution, hasn't been told of the death.

J. C. Burke and his wife didn't make a Honolulu vacation trip after all. Sudden press of business caused cancellation of plans.

COLLEGE RHYTHM

The eighth of a series of articles on college life and habits in regards to dance music and dance bands.

The writers, staff members of publications at their respective schools, have been asked by VARIETY to give the opinion of the student body as to a whole rather than give personal judgment. Neither has VARIETY given any instructions as to what was to be said or how. These articles appear as the undergraduates have written them, with the expressed opinions being their own.

VARIETY publishes the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has to say about dance music is deemed important in the trade. This is a continuation of a series originated by VARIETY in 1935.

U OF PITTSBURGH

By Richard Kay, '41

(Associate Editor, "Pitt Panther")

Pittsburgh, May 21

It takes Americans to make the kind of school most people consider as typical of American college life. Pitt has no dormitories, and that, coupled with the fact that Pittsburgh is a large city, makes for almost as many students as can be found anywhere.

This physical setup of a school composed mostly of commuters is apparent in every phase of school life, particularly in the students' choices as to extracurricular and types of music. One feature right now is the popularity of bands like Gerry Tucker, while another, being the more common of his name, are leaving the bag for the likes of Charlie Barnet and Jan Savitt. Tastes are bound to vary, but here they are somewhat extreme. Yet one won't find the numerous "playboys" and "boppers" or the "yeh-yeh" spirit of the smaller school or of a larger school with a more extensive campus life. There are no young clubs that meet to discuss, or just plain eat, the latest records and "collegiate" items. Those who go for swing seriously partake of their hobby off the campus. As a rule, though, Pitties can take it or leave it alone.

Another factor enters into the choice of a dance band here—Pitt students are slow to react to bands that are riding the crest of popularity. When the nation's schools and other campus colleges were taking over Glenn Miller, Pitt students were just beginning to get the fever. Now he is on the top even here, but it was a tough fight. While Raymond Scott's new band is much the subject of conversation with the small group that takes a great deal of interest in the orchestra, there are a great many more who are unconcerned that it even exists. Here, even when they have favorites, their enthusiasm is of a subdued nature.

This year dance committees have tried to book Glenn Miller, Gerry Tucker and Bob Chandler of the newer bands and Tommy Dorsey, Jan Savitt and Benny Goodman of the group that is pretty well established. Booking of these has been hampered by Pittsburgh's geographic location, where availability rather than demand often is paramount. We get what is available—of the best, of course—but it must be near at hand. We are not in a position to force our performers to purchase. Pitt is, however, fortunate that it can afford to top some bands when available.

In the picking of bands for the big dances there's been little interest in colored bands, although there is no apparent race prejudice. Colored students are admitted and are free to enter into almost all activities; yet colored music somehow doesn't seem to catch on.

Favors Main Music

Like everywhere else, Pitt likes the slower, more danceable music for their proms, although the tastes at other times may vary. The students at least profess an interest in sweet music, but at late they have been for more enthusiastically for hot tunes than they were with. Strictly swing bands, however, are definitely out, although this year has seen many more students dancing to the swingsters and fewer sitting them out. Yet there has been a great deal of criticism of bands that, being apparently aware of what is demanded in most schools, concentrate on swing at dances. Here they like it hot, but very well mixed up with the ballad tunes.

The dance calendar features four major dances in a year, four minor ones, and numerous small club, fraternity, and organization dances. So far this year the bands have included Glen Gray, Russ Morgan, Dick Hinch and Dick Stabile. Last year saw Arno Shaw, Larry Clinton, Kay Kyser and Will Osborne, among others, invading the campus. All Pitt dances are held off campus, usually in hotel ballrooms. This year's dance budgets have tended to be slightly lower than before to avoid small losses that, for a while, seemed the usual thing. These cuts have affected the prices paid for orchestras, and in a few instances other costs have been cut slightly.

Pitt's Local Radio Fests

Among local bands the students prefer the staff orchestras of their of Pittsburgh's radio stations. Probable first choice is Baron Elliott, WJAZ (CBS), and his Lombardi-style boys. Elliott recently received a network wire for his band. Second in popularity is Earl Tressell's Airwaves of the WCAE (NBC-Rad and Mutual) staff, running Elliott's mighty close second. In late he has featured weighty pop and swing over a Mutual chain, Maurice Spillane's KEMA (NBC-Blue), third choice, least more to the semi-classical as well as ballad tunes. The first two have already played dances here this year.

About the only place Pitt students see the top bands outside of school dances is at the local Stanley stage shows. The numerous night spots around town do not feature important bands.

Miller Tops as Duke

Second sales in Pitt students has strongly toward—you guessed it—Glenn Miller. Other favorites are Barnet, Crosby and Savitt. Among the 10 numbers about the only band that will make the boys and girls give out with their dough is Tommy Dorsey. Fewer Goodman records have been bought lately. Lombardi just doesn't sell at all.

Around at the fraternity houses the guys and gals have been slipping a lot of Bob Crosby's diskland numbers on the turntables. Among those who are interested, and most of the fraternities are, there is a great curiosity as to the outcome of Artie Shaw's new venture with strings. For the ballad Dick Jurgens records, with Eddie Howard's vocals, are extremely popular. A few houses favor Harry James. Bob Chandler is popular with some while at others he is an unknown quantity. Ray Kryst is not particularly favored at the houses and Horace Heidt has a few fans.

For feature nights and small groups Bing Crosby and the Andrews Sisters top the list. Crosby excites the security girls' hearts to better while the Andrews gals are well entrenched in every fraternity hereabouts. The Harry Marx and the Smiths have their favorites, and to a lesser extent Dick Shaw, Glen Gray and Dick Todd come under the wire.

(Next Week: U. of Washington)

TED LEWIS

WEEK MAY 17
FOX, DETROIT

Personal Management
MILTON PERKINS

"Gladys" The All-American
Gladys, Inc., Toronto



Andy Kirk has sold the Kansas City Barbours restaurant he owned in Harlem, New York City. It was run by Kirk's wife and Mary Lou Williams' husband. She's Kirk's piano player and he was once a sax player in Kirk's band.

Andy Weiskoper is a car crash in New Jersey last week. Two women in opposing machines slightly injured.

Lee Costello's new band set to open at New York's Hamilton Ballroom in about five weeks. He's trumpet player last with Tommy Dorsey.

Sugar Bowl Banquet in Newark, N. J., latest addition to Florida Dancers, N. Y. reports.

Earle Hadrigeanta starts new dance band policy at Lake Club, Long Beach, L. I., May 25.

There are three brothers in the City Gays band, similar to Guy Lombardo's family personnel. Both are swing groups. Charles and Carl Gays are sax men and leader Glen Gansberry was a drummer.

Kenny Parker to the Southern-neg Hotel, Saskatoon, during the winter and more recently in Saskatoon's only night, The Rainbow Room, goes to Madison Beach, Watrous, Sask., for the summer. Guy Watkins, in the Legion Hall, Saskatoon, during the winter, goes to the

"PLATTER CHATTER" JIMMY DORSEY'S band is not only packing them in at the Penn but at the platter counters as well with his new DECCA recordings of "Madame La Zonga" (3152) and "The Breeze and I" (3150). Helen O'Connell sings the first, a rumba to end all rumbas, and Bob Eberle sings "The Breeze and I."

NICK KERRY, DAILY MINNIE, May 17.

JIMMY DORSEY AND HIS ORCHESTRA
DECCA RECORDS EXCLUSIVELY

15 Best Sheet Music Sellers

(Week ending May 18, 1940)

Plummet	Sanity
Wendy's Song	Budkins
Gingling Hills	Sanity
With the Wind and the Rain in Your Hair	Paramount
"Little Girls" in High Chairs ("No Little Mothers")	Felix
"If It's a Good Day, It's a Good Day"	Felix
"When You Wish Upon a Star" ("Pinner's")	Bertin
A Lover's Lullaby	Jewel
"Angel in Disguise" ("All Come True")	Wimark
Imagination	ABC
"All the Way" ("There")	Felix
Shake Down the Stars	BVC
Shut Down America	Bertin
Apple Blossoms and Chapel Bells	Samick
In an Old Dutch Garden	Harms
Plummet	

Marlo, Now BMI, Resigns From Union

Contactmen Do Not Accept Resignation But May—Creates Odd Predicament

George Marlo, who recently joined the anti-ASCAP Broadcast Music, Inc., as professional manager, submitted his resignation as president of the contactmen's union to a meeting of the latter's executive council Monday night (20) but the union refused to accept or rejecting the resignation until the next meeting. Marlo's retention of the office had been under fire from some members who have contended that if Marlo remains in his job at BMI it would mean the wholesale displacement of contactmen employed by firms allied with the American Society of Composers, Authors and Publishers.

The union's executive council at this time meeting voted to stand pat in its refusal to issue a membership card to Marlo. However, who joined the professional staff of Shapiro, Bernstein & Co. several weeks ago. The reason given for this action was that Shapiro-Bernstein had failed to turn the union's unemployment list before signing Marlo, who previously had been with Consolidated Radio Artists, Inc., as a broker. Julie Tapp, professional manager of Shapiro-Bernstein, who appeared before the council in Marlo's behalf, declared that such list of unemployed had been issued to him along with other professional managers some time ago and that he had, after scrutinizing the list, decided to bring in Marlo.

Marlo had obtained a temporary card when he went to work for B.M.I. but this became invalid when the union's council refused his application for membership.

The union is understood to be preparing to lodge a protest with CBS against the network's new policy of having information about remote band programs to contactmen supplied by ASCAP brass.

A. P. WAXMAN

AS ASCAP P. A.

After sporadic attempts at public relations, the American Society of Composers, Authors and Publishers seems committed to having a full-time press agent on its payroll. A deal is being set and the likely incumbent will be A. P. Waxman, veteran show biz publicist.

Final details have been in the process of negotiation for several weeks. Waxman looks set to start next Monday.

Glean ASCAP Terms

Radio committee of the American Society of Composers, Authors and Publishers has received from the latter's general counsel copies of the proposed new contract for broadcast licenses.

The committee proposed to make some recommendations in the form of a letter to the legal department. It is felt that through the legal department may be all right there are certain business points that ought to be clarified.

Symph's Femme Mgr.

Cleveland, May 21

Youngest female business manager for any symphony in the U.S. is Elizabeth Strauss, 22, who has just been named Cleveland's Symph's first female manager at \$10,000 a year.

For the last four years she has been in charge of local orchestra at Severance Hall as assistant publicity director and assistant supervisor.

FOREIGN COIN FROZEN BY WAR

While the music business remains good in England, American publishers have restricted themselves to the loss of practically all income from Europe. Even in markets that haven't been shut off by the Nazi invasions, nations have tightened up on the sending out of money for unessential.

The elimination of this European income won't, it is generally believed in the industry, cause any hardships but it is money that some in hand who have figured possible velvet chords they fail to do better than break even as a number in the domestic field. So far there are no signs of readjustments in operating setups being made to balance the foreign situation.

Jack Davies Sets Plaza Date for Gasparre; MCA Long Had Spot Tied Up

For the first time in almost five years, Music Corp. of America has failed to spot one of its own bands into the Foy's Room of the swanky Plaza hotel, New York. Outside work going in is Dick Gasparre's, which replaces Eddy Duchin (MCA) June 1. Jack Davies set the Gasparre booking.

One of Davies' artists, Paul Draper, has been repeating in the Foy's Room for several seasons and is now current.

Springfield, Mass., Spot Revitalizes After 6 Years

Riverside Park, Springfield, Mass., a one-night stand that hasn't been operating for about six or seven years, resumes May 25. Harold Hecht, orchestra boss off. Between \$15,000-\$20,000 is supposed to have been spent refurbishing the spot.

Hecht follows the Springfield date with a week's stand at Keith's, Boston, another starting date at the theatre has not had stage shows for some time.

Mrs. Bernstein Dies

Mrs. Edith Bernstein, wife of Louis Bernstein, head of Shapiro, Bernstein & Co., died May 15 in her New York home after a lingering illness. Mrs. Bernstein, who had personally will known to the publishing trade because she frequently accompanied her husband at band opening-night events, had been afflicted in severe heart attacks for some time. Survivors also are two daughters, Lillian and Elaine Volter, a son-in-law, Richard Volter, a member of the B.M.I. and two grandchildren. Bernstein has left for a resort to recover from the prolonged strain, and will likely be away from business for a minimum of two weeks.

JUSTICE DEPT. BLITZKRIEG ON ASCAP MUST OVERCOME WASHINGTON SNAG

A Plunger's Diary

Following is a day in the diary of a song plunger as printed on penny postcards and mailed to the trade:

Dear Diary:
Just came back from Yuma, Arizona, where I married the gal of my heart—signed a contract with 'Woods' Gilbert—and my first assignment is to exploit a song I'm crazy about.

I read the book 'My Son, My Son.' Saw the preview of the picture 'My Son, My Son.' One night I heard George Hecht on 'The Hot of Hot' show with Henry Russell singing, 'My Son, My Son.' I said, 'There's the kind of real song I'd love to work on.'

'All my heart wishes come true in one day.' This is a real letter day but not, dear diary, what a wedding present, 'My Son, My Son.'

Frank Nelson,
General Manager, L. Wolfe Gilbert Publishing Co., Hollywood, Calif.

Discs' Self-Identification New Slant to Ballyhoo Bands in Nickel-Slotteries

Several recording bands and artists on the Columbia and Vocalion record labels have started using identifying talking lines at the beginning or end of their platters. This is based on the theory that when a record is a joke but in a public spot or store, etc., is played, only the person who inserted the record knows what's in it. It's a good idea, with the idea everyone within range is informed.

Frankie Masters started it by putting such recorded lines with 'This is Frankie Masters, etc.' Barry Wood is improving the opening lines of his Columbia discs with a line similar to what he has done on the Lucky Strike Rhythm. He says Hecht will reverse the procedure by telling listeners who and what they were listening to after the recording of each tune has run out.

FEIST-KENNY SUE ON 'LITTLE SKIPPER'

Harry Von Tilzer Music Publishing Co. and Harry Von Tilzer filed suit Friday (17) in the U. S. federal court against Lee Feist, Inc., Nick Kenny and Charles Kenny, seeking an injunction, accounting of profits, and damages for the alleged plagiarism of the plaintiff's song, 'All About the Blues' by 'Little Skipper'.

Plaintiff claims that he and Andrews E. Shering wrote 'All About the Blues' in 1916, and that 'Little Skipper', published since Jan. 1, 1938, by the defendants, was much of the music of the target song.

Feist-Kenny sued on 'Little Skipper'.

Grossinger's Resort Sets Stuart Allen Orchestra

Stuart Allen, ex-Dick Huber vocalist now leading his own band, gets the Grossingers' N. Y. country club band for the summer, booked by Frederick Bros.

A newcomer for the same berth, and possibly coming in later, is Jack Paul, ex-vocalist with the original Ben Bernie band. Peter is doing a contract, being seen inactive in California.

Milton Berle in ASCAP

Federal Action in Campher Since 1935 Due for Revival—Would Supplement Radio Industry's 25-odd State Actions

Washington, May 21.

The United States Department of Justice is moving the path apparently for another attempted blitzkrieg against the American Society of Composers, Authors and Publishers. This was seen here as the chief impact of the quiet bank movement in New York City recently where D. J. subpoena was sought from a Federal judge in order to gain possession of ASCAP files.

Radio industry allies of the Department of Justice are here on stepping any kind of a 'voluntary' action on the Society. The arrest of Gene Buck in Arizona during the winter at the behest of the Montana clique of broadcasters was an example of this. It is clearly recognized by the radio strategists that if the Department of Justice or any Federal agency will act against ASCAP this is a great improvement over, and a natural complement to, the 25-odd state actions which broadcasters have gotten started in recent years.

The prospective revival of the D. J. suit which has been in abeyance since 1935 implies a clear re-drawing of radio vs. music battle lines on even broader terrain. Washington observers remark the considerable skill of the broadcasters in cleaning up action against ASCAP but admit that they recall that ASCAP has not neglected its Washington defenses. That the issue might produce a big melee cutting across major party lines is thought likely.

Filing of subpoena in New York was hushed at this end for fear of starting political furnace. Broadcasters appreciate fully that the heat will be turned on and are anxious to make the maximum headway before they begin running new barriers in the way of problems from mounting first-name acquaintances with important persons in this town.

Possibility of a new attack on ASCAP was seen nearly a year ago when Justice Department lawyers found encouragement in the dissenting opinion of Supreme Court Justice Hugo L. Black in the Florida litigation. While the majority recommended the US for further proceedings, Black condemned ASCAP as a 'pre-existing combination' which became of its position 'widespread power of life and death over every business... dependent upon copyrighted musical compositions for existence.'

Statement

There is no doubt among watchers here that the D. J. anti-trust division really has been galvanized and wants to bring about a final determination whether the copyright pool is violating the anti-trust laws. After several weeks studying additional information and reviewing the data assembled for the case closed in 1935, Robert Cooper (now with the FCC) submitted a strong report last fall recommending revival of the equity suits and criminal prosecution, as well. More recently, Victor Waters, another special aide detailed to pick up where Cooper left off, has made a very intensive study and reached the conclusion that there is material to justify new action.

One of the subpoena technique was a major surprise. It had been taken for granted that the Government was considering only a move to get a new trial date for the old equity complaint. Just when criminal steps were taken—aside from the fact that Attorney General Jackson felt strongly that then and just now—should be imposed generally on anti-trust law violators—remained unexplained. Surprise was heightened by knowledge that Jackson, although he favored a hard-hitting policy when he bowed the anti-trust division—never was willing to admit the fight on ASCAP.

With the passage of time, details gradually have become known that make the Justice Department's sudden move hard to comprehend without taking into account the changed conditions and personalities. When the New York case was taken off the calendar in June, 1935, a few attempts were made to placate the music side, the 12-page proposed

litigation prepared by Government lawyers came back expanded in three times its size and containing everything except the daily weather forecast.

Wants to Check Up

Issuance of subpoena is described as a 'preliminary' move, importance of which is said to have been exaggerated. Officially, it is said the D. J. merely wants to gain access to files and records that never have been examined by Federal agents and see whether the copyright holders are telling the truth or whether there is factual basis for the allegations of music users, mostly the broadcasters and hotel men.

The 'preliminary' application to the district means the trust-busters hope they can go about but are afraid they will be called off as happened five years ago. Even if the motion to quash is denied following arguments scheduled for Wednesday (22), there is an assurance that the Government will go forward either criminally or civilly.

If there are no political objections, the Justice crew is in a much stronger position than ever before. Besides the additional power from ASCAP litigants, potential evidence now includes sworn testimony in various state suits, notably those in Nebraska and Florida. Transcripts in both of these proceedings—plus the Nebraska opinion in which three judges denounced ASCAP as a monopoly even while holding the state law unconstitutional—have been read thoroughly and numerous statements extracted and then followed up.

ASCAP in Battle II

While the American Society of Composers, Authors and Publishers has declined to make any public statements on the efforts being made by the anti-trust division of the U. S. Department of Justice to subpoena the Society's records and files for examination, it was disclosed Monday (21) that ASCAP will stage a better fight against the move. Federal Judge Henry W. Goddard had tentatively set today (Wednesday) for a hearing on ASCAP's motion to quash the subpoena, but the indications are that argument will be put off for at least a week.

The action of the Department of Justice revives something that the Government department itself shelved in 1935. With the same judge (Goddard) presiding, the Department that year put ASCAP on trial as an alleged monopoly and conspirator in restraint of trade. After the trial had gone along a couple weeks, the Government's trial moved on the case, headed by Andrew W. Bennett, suddenly asked for and obtained an adjournment. The trial was never resumed.

Within ASCAP the attempt of the Justice Department to start a new probe of the Society is construed as another instance of the U. S. Attorney-General's office leading itself in broadcaster pressure while radio and ASCAP are engaged in a fight over a new contract. The last trial occurred six months before the termination of the contract existing then between ASCAP and the broadcasting industry.

Grand jury subpoenas which have been served upon ASCAP gives no indication of whether the Justice Department proposes to proceed along either criminal or civil lines. Victor Waters, Special Assistant Attorney-General, has charge of the present probe. His predecessor on the ASCAP case, Bennett, later represented the National Association of Broadcasters in anti-ASCAP legislative matters and was frequently on the sidelines while ASCAP sought to have some of these state laws invalidated by the courts.

MILLER-NACK APART

Pittsburgh, May 21.

Glass Miller revealed here a few days ago, while on a college date, that he and his manager, Tommy Mack, will soon part company and that Mack-leader's younger brother, Herbert Miller, from Greeley, Colo., was coming east to take over that post.

Mack is making a connection with another name out.

Night Club Reviews

GLEN ISLAND CASINO (NEW ROCHELLE)

Buddy Byrne Orch. (14) with
Dorothy Claire, Jimmy Palmer

Of the summer stands for amusement bands, Glen Island Casino is the most coveted. It has been the stopping place for more semi-regular acts than any other spot, numbering among its powerful pull graduates Glen Miller, Jimmy Dorsey, Benny Goodman, Duke Ellington, etc. Buddy Byrne's band, which isn't even in existence a year, out of pole the lot's top at a sudden on a spot, not to mention juggling the Glen Leader is out of the Jimmy Dorsey transference section, haven't joined the latter at this same Casino, replacing Tommy Dorsey when he left his brother to build his own band.

Primarily an exceptionally good band, Byrne's bunch has suffered by being pushed to here without the proper preparation. Its style and demands a great amount of further rehearsal before its best points can come out. Even then it promises to give over approach the success of its predecessor of last season, Glen Miller. It isn't fair to judge Byrne's group by comparison with Miller's and it shouldn't be done because of the more advanced stages of Miller's combo, but Glen Island patrons are bound to draw an analogy. Two, Byrne is also a true-blue leader, which will further stimulate comparisons.

Byrne's arrangements run from good to fair, a few arousing a good reaction in patrons when caught. In all fairness it should be mentioned that when the band was reviewed, the night after it opened (Thursday), a heavy rainstorm kept customers away to dinner, only about 25-30 turning up—no insurance for any group and forcing it to build up for fear of blasting too strongly in practically an empty room. It will be reviewed again later.

At the moment the weakest point is its drummer, a youngster who has never played with a dance band before. He's steady enough, but is clumsy and needs experience. Byrne's singing is another thing that could be improved. That, of course, doesn't include his playing, which is far better than average drumming, but he tries to do a bit too much. Dorothy Claire, singer, doesn't make her Betty Huttons, conservative to say the least, but convincing. Jimmy Palmer's male vocal. He handles his assignment easily, but has to

commend with a public address system that's more too good, the last being also true in hampering Miss Claire.

Originally a 12-piece setup composed of two trumpets, two trombones, four sax, and four rhythm, Buddy Byrne has since added a third trumpet and has made at least eight changes since the band was formed. Last shift was a favored one, Jack Valentin, sax, having been loaned with a girl bell. He's still in a Massachusetts hospital, his place being taken by Hank Dorian, who recently left Richard Himber to build his own band and who will, instead, join Bob Crosby shortly.

VOGUE ROOM, CLEVELAND (HOTEL WILKINSON)

Cleveland, May 21.
Arlene and George Coleman, Beverly Kirk, Ted Lester, Ray Buchanan, Jimmy Three, Jimmy Watkins
Orch.; minimum, week ends, \$2; other nights, \$1.50.

A bit too long on the vocal side, the Vogue Room's first summer show involving still packs three good well-known plus one beginner in its act. They not only got the act but also set up this spot as the only hot spot in town during up fast, live talent, a monopoly that's got plenty of its power.

Two dancing couples, Arlene and George, breeze through this edition. Landing here in time to catch in nearly on their double-act, secure in current. For mag, Arlene's singing is clever enough to eclipse anybody glimpsed here since the Hartmans. Arlene's something like, she's happy again and twirls on her brother's brother have a hilarious freshness that leaves up the most hard-boiled comedians.

Ray Buchanan, young singer new to DeWitt hotel chain tells himself nicely on how here. Columbus (O.) led his rich baritone, but is too stiff and too conventional. While well liked, he gets a not-so-good billing break since Beverly Kirk also sings ballads, and does them smartly with a high, swingy voice. Conflict is eased when she shifts to tunes in order of "My Thrill" and "Tale of Vienna Woods" in swing-time. Ted Lester's versatility on half dozen instruments is as neat as Helen Fortner's contrabass stuff on a revolving chair. Jimmy Three struts while Jimmy Watkins' crew pitches dance rhythms that are up to this room's style. As a show-out, Watkins is still considered among the town's best.

RITZ ROOF, BOSTON

Boston, May 21.
Baby Newman Orch. (13), Dorisak Shamba Band (10), George's Cops Dancers (10); \$1.50 minimum at all times, \$1 cover after 10 p.m.

If any proof of Baby Newman's popularity in this town was needed, it was there at this layout's opening night, when the ropes went up at 7:30 and, incidentally, there was an advance publicity in his "summersong" at this small summer spot.

Newman is w.k. in the society party field and, of late, has been doing more of this unimpeded, but only, his show money work.

Mostly on the vocal side, boys can stick singing it when they're not something out some very danceable Viennese waltzes. Two pianos, bass and drums give the band a solid lift; three trumpets (allies' music), two trombones and four voices provide a variable touch. It's an ideal outfit for this stuff, which is just and gets the bulk of the class traffic. Maxine of Dorisak Shamba, a new arranger and trombone-sax player with Newman, goes with a special nod to him for a new jump piece, "Back Bay Station," which they have written together. When caught, this number was enthusiastically received by the nightclub crowd.

Marion Shaw, until this work with Richard Himber, is an authority on the act with a sweet contralto. She alternates with George McFarland, who does a rich tenor ballad. They're both assets.

Newman sits ready-to-stand on the Ritz Roof for 20 minutes Tuesday at midnight and Saturdays at 1:30, plus three local, earlier shows, Mondays, Thursdays and Fridays.

General entertainment band, fronted by a girl, takes over the routine when the Newman band rests, providing a devoted contrast for the dancers and listening off-landers.

George's Cops Dancers fill the bill for the floor show. Three Cuban boys and three American girls, all smartly dressed, first demonstrate, via a commensurate routine, the slow, medium and fast steps, then have the customers join the floor for a contest. This sort of audience participation is more the exception than the rule in the club, as the act enjoys that novelty touch which makes for a word-of-mouth buildup. Poppy Campbell, in a sort of eccentric comedy, is the only solo dancer in the troupe, and his brand of mid-show lunge is unique.

Newman is in for at least two weeks. Later in the season he returns via two shows in Magnolia, Mass., on the north shore.

RAINBOW ROOM, N. Y.

Ben Cutler orchestra (12) with
Beverly Whitney; Joe Fernandez & Maria Mendez, with Raymond Starker; Paul Rosta, Lyubeth Hughes, Fritz Prospero orchestra (6); \$1 and \$2 cover.

Only a sham nitery like the Backstage Rainbow Room could, should and/or would carry a code diversionment of the culture of Joe Fernandez and Maria Mendez. Ballet in a nice club? But it's very effective here, getting over in great style, due to a showmanly presentation. He's of the American Ballet which recently recommended so much attention at the Center Theatre at Rockefeller Center, and Miss Mendez has toured with the Metropolitan Opera Ballet, so there's no gaining their plastic abilities. They insure themselves for supper club work with an interesting repertoire that is married only by Mendez Ben Cutler's novelty in read from his notes on the themes and titles.

Opener is a Rostan number, best especially by Fernandez is a sheet routine by a theme from Rostan's Serenade, both returning for the finale with a double number.

Lyubeth Hughes, alumni of Harvey Hertz's organization, who at the Hotel Baltimore, N. Y., is a singing harpist of charm and personality who is given extra value here as she struts the room on the slowly revolving dance floor which, somehow, is never used otherwise. Miss Mendez and Lucienne Boyer used it in the past as they slowly traversed the room, and other piano specialists, or instrumentalists like Miss Hughes, similarly make capital out thereof. Presumed hazard from the moving floor, no matter how regarded its revolution, is the probable cause for its shun.

Paul Rosta is a somewhat too energetic singer for the entertainment, but gets over nicely. He combines with "a day walk," his

poise and surety, plus some effective tricks with painting, first-thumbs-and-humps illusion, egg trick, etc., get over nicely. He could border on being a bit too fresh, but amazingly picks his audience sides well. Especially in a room like the Rainbow, he must be particularly circumspect.

Miss Hughes plays stuff like "Tale of May," "Camille," "Ballets" and "Aire Blue Green."

Ben Cutler is an even tinier combination with a team of 12, not too heavy, keeping that instrumentation down, and insuring the safety. His new singer, Beverly Whitney, is adequate. Th. Fritz Prospero's comparatively band is actually a unit from the main Cutler tandem.

Cocunut Grove, N. Y. (PARK CENTRAL HOTEL)

Del Courtney Orch. (12), Josephine Orch. (7).

As a hotel rooftop nitery the Park Central's refurbished Cocunut Grove is strictly for out of towners looking for a bit of hummer diversionment. With average-priced dancers, singers and entertainers, patrons get a generous helping of honey-coated music from the Del Courtney band and a chance to take a big or shoulder in the relief late night headed by Augustus. Several sharks at ruffa dancers and sports of champagne via numerous apps and contents are other lures.

The refurbishing job on the Grove retains the palm motif and has had a payer side to what was formerly too heavy surroundings. But it has been overdone. Such things as the simulated thatch but dancers over each window, along with the numerous other palms, etc., which emphasize the atmosphere, overdone the room and make it less attractive than formerly. Courtney originally opened two weeks ago tonight (May 11), but the launch session was ruined by blustering storm and water leaks outside the hotel, and so a second opening was arranged for a week later.

Last appearance in New York for Courtney was early this year, at the Ambassador Hotel. His is a strictly sweet aggregation that puts it on plenty thick, featuring even above an unusual setup. Instrumentation runs in two trumpets, two trombones, organ, piano, accordion, string and brass band, electric guitar, three voices, one of which occasionally switches to clarinet, and the other two to suppress waves of different keys. Its stuff is something on the order of "Stop and Go Rhythm" used by many of the current street acts.

None of its output is too close and it gets plenty strong on an occasional semi-hot tune. On the latter the Grove brass are more guilty of mauling off the track than the rest of the band.

Augustus's Latin group does well. It runs through various tempos with nice push. Unfaded girl handles maracas and songs, latter rather poorly.

Spot runs several contests a night for dancers and champagne prizes. They're handled with little flourish, but their purpose is achieved—making one big happy family of a good dinner crowd when caught. First test is with a musical quiz, changing pairs are numbered and eliminated as they fail to correctly label the name of the tune the band is playing. Test takers run back pretty far in some instances, but are more or less well known standards.

Served instead entails passing a package, the one who has it when the music falls being eliminated. Third gets rough and isn't handled correctly. Shouts of hoots from the ceiling with prize lures. They start downward toward the waiting crowd and when almost within reach are jerked up again. Result is the waiting mob starts jumping for 'em, generally coming up themselves and opponents.

Wood.

McHugh Square

Boston, May 21.
Songwriter Jimmy McHugh, local boy who made good, will have a head square, which faces his parents' home, dedicated to him, according to an announcement by Mayor Tobin last week.

Composer, who wrote the music for the new Shadert model, "Keep Off the Grass," opening Thursday (22) at the Broadhurst, N. Y., is due back in Hollywood June 2.

PANTHER ROOM, CHI (HOTEL SHERMAN)

Chicago, May 21.
Shuf Smith Orch. (10), Bud Freeman Orch. (10), Lee Wiley, Alice Kavan, Bill Russell, Paul Epes, Jr., Arvinge (10), Carl Marx.

The Sherman hotel brings in two small jazz organizations for the dance room, and from business to business things should continue satisfactorily. The Sherman has been gradually building in this downtown spot. Not only has it given more attention to the music setup but has even been putting more effort into looking a floor show with increased entertainment firms. Just a few months ago the show here was purely minimal, consisting of maybe a quartet or a quintet. But the trend is towards a show that has solid elements.

Shuf Smith's orchestra is a colored jazz group that has a natural sense of Latin rhythm slightly offbeat for the jitterbugs. Never paying any attention to melody, the orchestra just pounds it out solidly. Backed by a strong electric field, Smith's own sweetly electric fiddle, outfit has plenty on the dancefloor hall.

Bud Freeman's group attempts to be more than just its jamming, but somehow fails to make it come out. Freeman's group belongs to small nitery rooms rather than in a spot as big as this. While indicating a sense of good music-making, arrangements of the orchestra miss the mark. At no time is there any sense of authority about the unit.

On the floor is Lee Wiley with her own working. She didn't impress when caught. The music was strictly as-is and the delivery was without particular flash. Bill Russell also turned off some vocalizing in addition to his work as m.c. and there is a satisfactory job on both counts, even going away with "Chlor" as a vocal bit.

Alice Kavan, holding over from previous show, moves impressively with her excellent dance solo. Instead of repeating the first show's routine, Miss Kavan comes up with some fresh ideas which she executes neatly.

Incomparable Paul Epes has remarkable control of his tones and gives splendid vocal copies of the standard ballads of show business, especially those in radio and picture. But though his imperfections are faithful, the set itself lacks basic entertainment in that what Epes has to say is not particularly funny or clever. Epes has a good foundation in his mind vocal control, now he must go out and get himself some material.

Still around are the Jitterbugs, four girls and four boys doing big style stuff in already dated fashion. There are many more customers here who can spot these jitterbugs a half dozen steps and say "you." Also here is Carl Marx in his 10th year in the job. He walks around and his own still lights up.

MONTE CARLO, N. Y.

The Hartmans (12), Christina Lind, Ted Strasser (10) and Ray Martin (10) orchestra; \$2 cover.

Felix's Monte Carlo is again El Macaroni and it runs "informal" with summer dresses up and formal evening attire no longer a must. Also, the trend with the times, Felix (Felix) is spending money for an attraction, the Hartmans, whose solid ballrooming is seeking business considerations.

It's somewhat extraordinary that the dancers, still in the cycle that's been worn pretty thin, remain in top, due of course to a constant search for the novel and an embellishment of the basic pattern. Instead of the usual ballroom first now "only" study, their lampooned elaborate situations. It's more than the mere des of promulgating a ballroom trend from a dignified treasury into a profit.

For example, those Arthur Murray dancers who do exhibitions and then select pupils in one convenient studio on the Manhattan "bow" of hotels wandered all over the land, are the basis of a strong routine. The "Play Fiddle" pseudo-romanticism, and then of course the usual travesty on the peppy type of ballrooming, including Paul Hartman's take on the act and the film.

The Ted Strasser band remains a minor item, one of 10 alternating with Ray Martin, 222-members of an equally mopey quintet. Christina Lind (New Act) and c.k. Cover between end from \$2.50 to \$2. Abel.

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—127—

Trocadero, Hollywood, Under Hammer; Brings 10c on the Dollar

Hollywood, May 21. Jaded beauty sold at the dollar when the dusty shell that once was the Coko Trocadero was auctioned for \$25,000. In their four years, the furnishings cost \$100,000. A deal night club, like last year's draw bet, is a bank of junk.

The \$25,000 came in drabs and drabs under the postmaster's hammer. Nobody answered the first offer to sell the whole lot at 10% of its original cost. Professional sharpshooters poked off their bargains one at a time. They had no ambition to run a show, which is a hazardous occupation in Hollywood.

Five people went into the construction of the dance floor, on which the high and low heels of Hollywood had bounced each other's business for many a year. It cost \$2,000 and sold for \$10 as big lumber. Another \$2,000 time, a choice lounge, covered with the native veneers of Polar bears, was found in the wolves for \$100.

A concert grand piano on which many a virtuoso has looked the housewife, went for \$417.50 to an agent for an actor who dropped airfoils in the air before he acquired enough dough to build a balcony in the valley. Original cost \$2,100. Those others, once a Magister Line to hold back the common people, cost \$100 apiece and were raffled for \$2.50 less than half of what Joe Public used to hand in a wallet for the privilege of being insulted in a weak dump.

Among the ornaments was Hy Hoffman, one of the partners who opened the place in 1934, when it cleared more than \$100,000 above expenses, with gross on special nights running from \$7,500 to \$10,000. Those were the nights when Hollywood legends strayed their stuff and the Troc was the last word in social, artistic and financial news, with vintage wines flowing like the Los Angeles River at flood tide.

The buyers at the auction gobbled out drinks and devoured radishes.

Saranac Lake

By Happy Brown

Saranac, May 21. Highlights of the Colony: J. Arthur Clark, musician, was handed his day papers and left for a nine-day job in Cleveland. Did the truck in a year and a half. Irene Bennett, an offspring of the Bennett Family act, is from Hollywood as a new arrival at the Will Rogers. Fred Smith, Jr., after three years in Rio, took time out to sell his estates of Rio Colony. Jack Dugan, from Saranac, N. J., is a new arrival. Don Dickerson, formerly with World of Mirth carnival, is playing out as ruffia of a spinal ailment. Sol Drutz, new Rafted Ruler of the local EPA, was once a 15-25-35 dramatist actor. Flaky Witherspoon, ex-comey, now a salesman with headquarters here. Phil Meyer, ex-dash act vaudeville, is

a newsmen at the Rogers. Lillian Mansfield pointed in for operation number five. After years of intimate intimacy, Hazel Smith's salary now eats off the same plate with fry at the Will Rogers. Jackie Roberts, ex-N.Y.A. vaudeville and Backlist a most of added pondance denoting a permanent commitment. Another strictly in bed inmate to hit the up and slight exercise routine is Paul Welch.

Charles Diego, formerly with Radio City Music Hall, is now owner at the Rogers.

Florida Club shifted to open May 21 with four shows.

Thanks go to Clyde and Frank E. Lee, assistant, and Ernest Drenette for maintaining this gang.

Write to those who are ill.

15 YEARS AGO

(From VARIETY)

'Abie's Irish Boy' broke the American box record for a legit show. Comedy, at the Republic Theatre, entered its fourth year on Broadway. Anne Nichols gave back the mark formerly held by the John Golden production of 'Lightnin'.

The Theatre Guild season was winding up \$100,000 in the black. Success due principally to the Surrey Cal Howard play. 'They Know What They Wanted,' playing at the Klaw Theatre, N. Y. The production was another big money-maker for the Guild.

Alma Lloyd, finishing a world cruise tour, was going to the states for additional dates. Besides the host of songs that she made popular, she also was going to include many made famous by her sister, the late Marie Lloyd.

Bert Laffel, screen player, and Claire Windsor, also of film, wed in Juarez, Mexico. The second marriage for both, each having had their first severed by divorce. (He since married Grace Moskos.)

An original story of bandit love was to be Rudolph Valentino's next film. Rupert Hughes was doing the adaptation. Hans Krawitz the continuity, and Clarence Brown handling the direction.

'Blue-Blaze' was topping the Chicago grosses with \$25,000 at the Windsor Theatre. It was in its 12th week there. Other good runners were 'The Green Hat' and 'Blondie Prentiss.'

'Rain' opening at the Garrick, London, was strong but not the sensation that it was in its New York debut.

Colored entertainment was expected to have its best season in 1940-41. Burlesques, vaude, sketches and musicals expected to boom.

Unit Review

SCANDALS

(PARAMOUNT, LOS ANGELES)

Los Angeles, May 15.

Her Blue, Ella Logan, Jean Miller, Billy Hayes, Craig Mathews, Kim Lee Sisters, Ross Wynn, Jr.; Knight Sisters, June Mann, Fred Monett, Fred English, Louis Rogers, Marie Fry, Elmer Cress, Olga Gargy, Shirley Arroy, Corrie Ames, Jimmy French, showing-singing chapter (21); 'The Farmer's Daughter' (Paramount).

With only Willie and Eugene O'Neill and eliminated from the cast, George White's 'Scandals' after a week's break-in at the Fox, Oakland, opened for seven days here yesterday (14) in a crowded house, providing an hour and a quarter of their diversion as regular house prices. Unit, as proved for the picture house, is in some respects a better show than their recently presented as a full-length revue at the Billmore here at \$2.50 top.

For one thing, abbreviated running time has resulted in a fast-paced and while there is a plenty of fast-walking and a few off-color acts, opening-day audiences were liberal in their applause and rewarded the offering with welcome cries.

Ben Blue provides most of the comedy, although others of the principals inject amusing lines and there. Ella Logan is all through the show with her inimitable singing and Ann Miller electrifies with her dancing.

Ross Wynn, Jr., as stranger to Paramount audiences, is given excellent support by June Mann, an elongated dancer with plenty of comedy injected into her offering, and the Kim Lee Sisters, Billy Hayes who comedy with his juggling turn while Craig Mathews carries the bulk of the straight material work.

Song 'Are You Movie Any Fun?' is featured at start and close of set, being built up to a big finish, aided by Miss Logan. Most of the numbers have been lifted intact from the legitimate stage version of 'Scandals' but the several blackouts in which the Howard brothers participated have of necessity been eliminated. They would be somewhat out of place with the Paramount regulars.

Scandals' is a big show for any picture house stage, and presented at prices running from 40c to the regular admission and the far lower, is a working boy for any entertainment maker.

Driving Fuehrer

(Continued from page 1)

\$20,000. Can't you stop? Let's continue.

Your victims in Cerebrosclerosis, \$20,000... \$20,000... and those in Poland, 1,000,000, 2,000,000, 3,000,000... victims, Mr. Chausoff. You have certainly earned the right to sleep after that... You must have a trampolene. Sleep well and pleasant dreams. Good night, Adolf Hitler.

Ophelia has also produced 'New Hired Wench,' which is an imaginary parade of 25 and 35 men who died for Germany before 1918 fighting against the Bolsheviks, and 'Child's Play,' which is a sketch based on the alleged trading of children in the Third Reich to denounce their families for authorizing for lake-weddings, to the regime. One point is allowed for a sister, two for a brother, three for a mother and four for a father.

Doug, Jr.-Hecht

(Continued from page 1)

trips and release. Perhaps it was used in New York, arrangement might even be made by which release is effected through the estate of that it might profit by young Fairbanks' work.

In the latter case or in the event of transfer of the stock by Doug, Jr., approval of the four other UA stockholders would have to be secured. An informal poll of company assets had revealed of the stockholders last February revealed Fairbanks' acquisition of a wholly satisfactory idea. It is felt he has the proper background training and means to be put in the position which may be further proved by the present Fairbanks deal. This is the only line one can take. Hecht, as a partner in Fairbanks, it is well, would have to look out with favor.

New Acts

BETH TURRY

Sings

15 Min.

Radio, N. Y.

Beth Turry has been out of vaude for a short of Hollywood for the past two years and returns this week to the stage with her first picture, 'Slightly Hilarious.' Prior to the time in pictures, she had been in vaude for nine years, or since she was 18 years old. She played this same theatre just four years ago with an N.Y.U. unit.

Long stage background quickly tells in Beth Turry's case; she is completely at ease when having a chance that makes of her a pretty drawing in person.

Then opens with some boundary with a c. Jerry Lester and Gerni Miss Turry goes into vaude. Although drawing a heavy reception, there's much she can learn about staging. Her phrasing is particularly good and she has much of the quality of a naturally good voice. She also tries too hard to sell, in the manner of a kid too recently out of domestic school. Nevertheless, she's so well in both theories and abilities if she's not picked up for further screen work.

Mark.

NEW YORK'S NEW YORKERS (12)

Sings

15 Min.

Radio, N. Y.

New York has a number of working troups and several have appeared at various times in New York. This group is a combination of singers from other New York formations and some new ones.

Six boys and six girls in tails and evening dresses make a pleasing picture, which, in fact, underpins their vocal work. They make their appearance with brief ballroom twirling on the full stage and then group around the table.

Arrangement of the tunes is good, with opportunity given for excellent solo work to break on the chorus effect. Some, particularly by several of the boys, happen the effect. Among the tunes are 'Wind and Rain in Your Hair,' 'Ma, He's Making Eyes and Gave's Country.' In addition to its own spot, brief in this short show, group makes effective background for other portions of the presentation.

Mark.

THE ENTERTAINERS (12)

Sings

15 Min.

Radio, N. Y.

A European act, the Shervettes prove themselves the epitome of love of this type. Comprising two men and a blonde leader, who maintains dignity while revealing amazing ability on a bike as well as plenty of her epidermis, it's a Joe Jackson with apt.

Two first makes its appearance on two-wheeled, jumping over handlebars and over each other, riding sideways, backwards and upside down and doing acrobatic of other stunts. The two men then do a short drink routine on high stools, followed by the Shervettes dancing in rhythm, doing kicks and other stunts, on the yard-high single-wheeled machines.

They climax with one of the men exchanging his bike for another that almost puts his head in the box by space, while the blonde appears on a tiny little one. They were undoubtedly held down in number of tricks, however, by the fact that the boys' entire stage show currently is running only 15 minutes. Mark.

JEANNE LAVINE

Sings

15 Min.

Radio, N. Y.

Billed as from musical comedy, work of this singer suggests has been studied in out-of-town as far as can be ascertained. Short show at the house gives her opportunity for only one number, 'Wunderbar Song,' which she does okay.

She's four feet or less in height and is given plenty of production effort, both in choral singing work behind her and by the boys line on stairs to bring out her tiny stature. Pines are high but pleasant, and she sells well. Also makes good appearance in top hat and tails in final with rest of the production.

Mark.

CHRISTINA LIND

Sings

15 Min.

Radio, N. Y.

Christina Lind is quite a blonde beauty, and initial effective as a showman. She has a very striking vocal style, opening with a blend of 'Unforgettable You' and 'Oh, There I Sing' then 'Mad About the Boy,' 'How High the Moon' and 'Never Loved My Mind.' Experience is clear over material, with accent on her lyrics.

A musical table card tells Hanna Carver, as Miss Lind's understudy, will on the night tonight she won't be her best. The dress, which the young lady for Miss Lind, she's okay for (she offers). And.

SIX CUTTON CLUB BOYS

Sings

15 Min.

Radio, N. Y.

This is the break-in vaude rule for about six Negro singers from the regional legal musical 'Hot Mikado.' It's the usual setup, with the lads doing a precision number, then a show number with challenge bits and a brief ball tap for the show. Nothing startling yet, but presumably they haven't had time to work up any fireworks.

They wear yacht-clubish costumes and head toward the military then in routines.

Mark.

LOUISE PAGE

Sings

15 Min.

Radio, N. Y.

Once with the comedy troups, Louise Page, Miss Page is now going it solo. She's given effective production backing at the Radio and sticks mostly in dancing and looks.

Her work is a number of acts and each with some construction toward it, all done rather artistically. She comes strongest with an exhibition of her acrobatic suppleness and her apparently limitless and jointless arms and legs.

Mark.

Hugh Studebaker

(Continued from page 1)

in Chicago in 1913 from Kansas, broke and unknown. He quickly made friends in the trade and from them was able to borrow just enough to keep himself fed and his room rent on a broken back. When he finally got some work it was as the 'message bringer' on the William's Tablets advertisement. This job required that he ship from Chicago to stations all over Chicago at all hours of the day and night so that he would be on hand when the salesman would remark, 'And now we bring you William's message of relief.'

In due time Studebaker got into dramatic acting. Within a few years he built up quite a reputation for versatility as daytime artist. He became a lead player much in demand, and then began that broad-mill life that resulted itself into going on the job at 6:30 a.m. and hopping from one studio to another, working three breads each on several scenes and not coming out of the other until about 8:30 that evening. And as if that load weren't enough, he took on m.c. assignments on evening commercials.

Two years ago, after his earnings had mounted substantially, Studebaker bought himself a farm in Indiana with the idea of retiring to it periodically. It remained an idea.

Meanwhile, Studebaker's sleeping habits went bad and he grew increasingly nervous. Between breads he tried the stress-reducing exercise as a palliative, but that seemed to make it even worse.

Caution's Quo

For months he had been trying to gather enough determination to call it quits, but that also remained an idea until something happened to him on the initial program of Brown & Williamson's 'Show Boat' over the NBC-blue a week ago last Friday (18). Studebaker was at the table with his script. The line called for his introducing Virginia Verrill and her number. Studebaker got as far as the name of the singer when he found that his mind was in a haze and he couldn't talk. But Studebaker, the program's manager, among there was something wrong and he waved the hand into the opening strains of the tune. When Studebaker came to, Miss Verrill had already started on her lyric, but for an automatic reaction he cut in with the title of the song.

Then and there Studebaker realized that he had to walk out of it all or take a chance of winding up with a nervous breakdown.

A doctor the next day suggested New Mexico and a minimum of six months.

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STRAND, N. Y.

Sammy Kaye and Orchestra (12) featuring Tommy Ryan, Charlie Williams, Jimmy Brown, Clyde Burke, 5 Rhythms, Diamond Bros. (12), William G. O'Brien, Rita and Ed Graham, "Tutti Tutti" (W.D.), reviewed in VARIETY May 8.

Combination of Cagney, also some songs via Ann Sheridan, on the screen, and swing-and-romp Sammy Kaye on the rostrum, makes healthy material for the Strand at a psychological turn in public thought when every factor is necessary to attract theatre business. They're currently quipping 'Tutti Tutti' is a queer, but that's more truth than usual of his, because of its mental representation and attendant negative effect on amusements. At some other stage of wartime thought, it works the other way and all forms of show biz boom, whether due to war industry prosperity, emergency, or what. Right now the mood is on the downbeat.

Yes, despite the negative factors, the combination of a somewhat lousy "Tutti Tutti" on screen and a stage show is going promisingly for us.

Sammy Kaye, recently closed at the Hotel Commodore, N. Y., and now well established on the air and via Victor records, brings his smooth orchestra currently. He has an intelligent style of announcing that doesn't patronize, and even the ill-timed element opening day, which almost wrecked the schedule of running time, was captured and exasperated of the high-grade manner of presentation. Unlike the rest of the staff that usually creates the prompts hand-clapping and rhythmic tapping, Clyde Burke's solid bulldozing lies it up into a knot, or truth to be told, is forced to shove "Love Is a Cheat" after "Say It" and "Take a Letter from Brown." Tommy Ryan, the guitarist who sings the titles, later teams with "De I, De I" and in between Charlie Williams and Jimmy Brown contribute vivacity.

Kaye's setup is four brasses (three trumpets and one trombone), three reeds, guitar, bass, percussion and two piano (one of them Burke), with Kaye later straying a stretch on the lineratic stick. But in the main he swears and participates in a broken Subgoldberg comedy piece of business with the madcap Diamond Bros.

The three brasses are easily the comedy buff of the proceedings with their broad-based screw-bake that leaves the audience almost as limp as the Diamond trio. Their energetic variations break for no reason, and they're been doing it for quite some time, improving with the season.

First appearing with the band presentation are Rita and Ed Graham, dressed as twins. The girl has a smile that would blow up a blundering, and he is also somewhere in the proceedings. That is, he does the left hand, and she would take almost anything more the turns on the molar display. True, her "Rich Eyes Are Smiling" is more of a personal theme song, and it's only saved by the understated swagman treatment. Forepart sounds as if she's kidding, excepting that she isn't. Nonetheless, a photographic song and dance specialist, like Rita Graham, can get away with plenty. Next of gem, she's expert on the lead.

Other interludes is William and O'Brien, married male duo, working in "upbeat" style. They don't endeavor to camouflage the mechanics. Their skeletons in a weird cage; there's a Gypsy Rose Lee stronger routine; a lanky-lank rubber pair in "St. Louis Blues" and an on-acting duo for an encore. Act would be OK for club days.

Kaye is between books back to "Little Green Book" for an American interlude, wherein a luscious native dancer doing the rite-and-pat bottom; infuses a new "Tutti Tutti" number, well done; and for finale "Tutti Tutti" number, most thing to a giddy specialty. Show is a brief 22 minutes Sat.

LYRIC, INDPLS.

Indianapolis, May 17.

George Olsen Orchestra (12) featuring (12) Joe Blay, Harrison Sisters, Revue Mainfield, Cornelia & Dale, "Sings at Sea" (D.A.).

George Olsen band (last at 1945) specializes in comes dangerously close to being right of the fact that people pay to hear a pop outfit play pop tunes. Action is fast, and with specialties good, the customers at show caught were satisfied to skip the house and watch the antics of the band.

When Olsen introduces each member of the band to open on "That's How We Make Music" the pace is too slow, for after three rhythms, two troupes, two trumpets, and four sax have taken their bows, no more attention is paid to them in running of bill anyway. Some Mainfield does two vocal solos, particularly "On You" early in the act, returning for "All Things You Are" later.

Harrison Sisters with nice plaudits with their spirited harmonies of "Me and My Shadow." Band has nice novelty spot when audience is asked

to call out notes. At show taught they get C sharp, B flat and A natural, which they worked into a song pattern on the spot of the moment. Mainfield of bill is performance of six members of band who sing under the label of the Shadocks. They do a number on most of the pop tunes of the day, also a clever routine on a platform as modest petal soldiers, coming back later to do a slang version of "Hallelujah" and including a run-down ideograph playing, a cracked record.

Herb Harris, band drummer, is on the live side with a thin session on "I Got Rhythm," really going out of his world for an encore on a strident assortment of sound effects while his no distinguishable melody. Hallelujah does the better-music department in Jess Blay, who claims bill with an operatic number and "Cris Blue Blue" mostly done.

Only outside act is Cornelia and Dale, who get plenty of laughs out of a new approach to the boy-girl routine. Cornelia wears heavy goggles with the intention of "Cris Blue Blue" in a dime-a-dance. At show taught, 24 minutes running time, 22 minutes, but takes away the session, and add a few tunes from the Hot Parade, and it's a good time for anyone's entertainment only.

STATE-LAKE, CHI

Chicago, May 18.
Joe K. Lewis, Alvin Karpis, Harry Karpis, Fred Goetz (12), with Billy Gibbons, Louie Denny, "Ghost Goes Home" (M-G).

It's a war of nerves in the Loop currently, with Joe K. Lewis here, battling Ben Blue, at the Chicago, and Milton Berle, Oriental.

Lewis gives a comedy concert, being the only real moneymaker in the business at present. He just gets up there and talks. It's talk that is subtle and quiet for the most part, and the State-Lake audience is not really the right audience for him. He needs a wiser and surer group of listeners to get his full humor. But despite this handicap, Lewis shows ability on his showmanship and generally showed handling of people.

Particularly born and bred in this state, Lewis has developed a unique style and personality, and his moneymaking is the money-talents of Ted Lewis, Harry Richman and Lawrence Tibbett with his own is a pity.

Only other outside specialist on the show is Mildred Bailey, who evidenced considerable trouble with her vocals when caught, especially with the top notes. Also appeared in her three numbers and failed to sell them properly. She seemed to a single ballad she attempted, but managed to salvage something of her waning turn with her "Buckin' Chair" number.

Backed up the show is the Happy Fellow Orchestra, which seemed to be sleepy and better-skilled. It tries everything and fails to do anything consistently. Fellow goes in for disjointed rhyming in announcements and routines. The arch itself hasn't got it, and finally falls back on such lousy-sounding stuff as diving impressions of well-known bands.

Two solo singers are good and noisy and sing tunes that are pretty safe for this act. Louie Denny does "Italian Street Song" and Billy Gibbons, who's nice with "Mother Macaroni."

Business strong at last show Saturday (12). Gold.

FOX, DETROIT

Ted Lewis Orchestra with Dennis Rogers (12), Eddie Aron (12) Betty Ann Smith, The Barkers, Marie Hylan, Charles "Smash" Whitely, Harry Little's pit orchestra, "21 Days Together" (Columbia).

It was smart operating at the Fox, dark on weekends for more than a year, to replace with a vet showman like Ted Lewis. Opening week bowed like a seventh day, without a rough spot in the 24 minutes and, greeting again a guy they've seen innumerable times, audiences were in a mood to watch Lewis' well known sentimentalism about anything with the same mood. He suffered them up in a hurry for a smooth, pleasant hour bringing variety back into Detroit's biggest theatre.

Entertainment heavy on the song and dance, registers chiefly through Lewis' ingratiating personality.

The Dennis Rogers (12) overall slightly on "Little Girl" while the Eddie Aron go punchy with their song numbers. Lewis sprinkles his three dance acts discreetly through the evening, with Betty Ann Smith part and catch in her tap and toe numbers. Marie Hylan registering with an athletic dance, and the Barker duo getting top value with dance loosely.

Band is inaudible during the specialty presentations, the biggest approximation going for the leader's luscious business. In fact anything he does is as if the audience just overheard on his turn with Charles "Smash" Whitely, even for such a well remembered hit as "Me and My Shadow."

Business at the opening show away above average. Full.

STATE, N. Y.

Eddie LeBaron Orchestra with Morris King, Ruth Ferry, Jerry Lester, O'Connell (12), Five Kings, Jimmy Rice, "Highly Amiable" (U.A.), reviewed in VARIETY Jan. 18.

Next lineup gives the State a strong show from the entertainment standpoint this season, although absence of an outstanding moneymaker seems to be taking its toll at the box. House apparently figured to compensate by its use of a first-run picture instead of the usual second-run, but a kicking around of the film by the reviewers and absence of star names made that just what thinking. Additional type is the presence of Ruth Ferry, (New York), featured in the film, in a personal. But inasmuch as "Highly Amiable" is her initial film break, her name can't be expected to count for much.

Heaviest part of the line is taken care of by Jerry Lester, who M.G.M. He's a rapper at whodunnit a laugh with fast, unfettered humor and delivers plenty of playlets for the general purpose of the show. His roughish personality and slightly unkempt hair surely draw him around the wide-way doors. In addition to gross-magical infirm, he sings some spry parody, does comic impersonations and works well with Miss Terry in her portion of the proceedings.

Eddie LeBaron's orchestra, recently featured at the Rainbow Room, N. Y., provides excellent rhythm in both its own impetuous and in backing up the films. Music is constantly in the Latin-American mood, at which LeBaron at one time specialized completely. He now, however, does almost equally well with jazz. Combo consists of three brass, three reeds, two saxes, an accordion, traps, euphonium, piano, banjo and traps, which is a switch on the making when it was at the R. E. Morris King, earlier, does a specialty on "Ragtime." He's an adept technician, but goes so far to prove it the beauty of the tune is almost lost. Also serves to slow the proceedings.

Taking advantage of LeBaron's employment of the music of the border rhythms, State has imported a couple of troupes (12), most in the manner that the Applers were brought in when that was the vogue a couple of years back. Ted and O'Connell, they operate in typical fashion and make for a superb finale. While not joining them for a moment of lip-swinging before the travelers' cross together for an effective blowoff.

Jimmy Rice, a nifty rapper, is on earlier. A leader in quipped romance, she's hips with her legs. His excellent routine, climaxed by a long twist that wins strong hand-pats. Pomeroy's river run of her hands, too, is in itself, and her listeners often gives almost a better effort to the ball-clear the work.

Five Kings, on after the second band number, are three men and two women jugglers who have long since become standard. Their rapid-fire work with dice and ball and juggling is plenty noisy. Mark.

APOLLO, N. Y.

Cab Calloway Orchestra (12), Artie Anderson, Snuggly and Snuggly, Mathews and Young, Sir Cedric Odey, House Line (12), "Young As You Feel" (U.M.).

Several redeeming moments in this bill, but too many interminable stretches make the general result merely so-so. Comedy and dance pair Snuggly and Snuggly, under Artie Anderson and, at times, Cab Calloway's band contribute entertainment, but the shoddy mixed house line climaxes on the stage too frequently. Also, the dancing Sir Cedric Odey Boys (New York) are not yet smooth enough, and Mathews and Young provide some limited comedy.

Snuggly and Snuggly, on last, are the real socks of the bill. Art has been around some time and consists of two colored boys with inimitable timing, a crazy brand of rough-house comedy and goofy personalities. They're a click for any spot, but would be even better if they'd pull the routine together into more compact form. However, it's all effective material.

Miss Anderson has no recorded voice, lively personality and an expressive, forced manner of singing. But latter may differ as to her material and the way she handles it. Audience at the show taught last Friday night (17) mostly enthused, which is apparently the important thing. However, Miss Anderson was the most shoddy trick to get applause. Ballads such as "Man I Love," "Summer Time" and "A Friend to Me," "Lower Come Back" are lost when done simply. By looking them up with operatic trappings and using that ancient device of building up a loud orchestral climax, the results are immediate applause. But in doing so she makes the audience's ears hurt. "Interpretation" is contrary to the mood of the song.

Calloway band, consisting of 12 brasses, tenors, 12 saxes, 12 reeds, two saxes, guitar, drums and bass, has the leader in front in his usual style, with a command, his familiar voice. It has added up to a

successful combination for several years, and still does. Business is strong in the arrangements, with Cab Calloway also getting numerous breaks on the show. Except for a tendency to stare, the crew is satisfactory, particularly on the last numbers.

House was about three-fourths full at show taught. Rate.

HIPPO, BALTO

Baltimore, May 18.
Best Wheeler with Francesca Malloy and Hank Ladd, Lewis and Van, The Smoothies (12), The Three Smoothies, Phil Lapham House Clerk (12), "Trot" (RKO).

Perfectly at home in present company, Best Wheeler takes hold of this layout and makes it click from curtain to curtain. A standard in the lay-day of vaude, he retains a sure sense of timing and pace and has selected his material judiciously. Assisted by Francesca Malloy and Hank Ladd, and working throughout the entire show, Wheeler holds down last greatest spot of his own, his presence on this well-ordered layout life is in such proportions.

On rather odd to offstage talent, main stage activity, making himself into a double encore routine with Hank Ladd, introduced as the assistant manager. Bring on Lewis and Van, fast tapping twosome, who employ a pair of miniature steps for effective routine followed by rapid challenges. Ladd give him a fast start more than shy held by The Smoothies in the scene.

Trio of two nice appearing lads and a girl was out swing vocals of "My Girl," "Playmate" and "When There Ain't No Sugar." The latter a nice workout of slides for contrasting style and directly in the groove for showmanship on show stage. Dance with "Woodpecker Song," day. Make spot for extended comedy business by Wheeler and Ladd, with vocalizing bit good for some laughs.

Three Smoothies follow with strong head-to-head stuff, made effective by comedy talk and touch-about. Youthful tapmaster has good sense of comedy and adds considerable stature to across which build to strong dancing trick of a three-high from a backboard.

Back again for another spot, Wheeler works with Miss Malloy, a tough-talking dame, exclaiming not more laughs and earning a return for some funny inside stuff about his sides. Drives a running response and a series of light routine, should build an effective wind-of-mouth here, where it doesn't take long to spread the word. Extra strong support to the 22-min. songs by Phil Lapham's house work.

KEITH'S BOSTON

Boston, May 17.
Four Names, Betty Tenny & Buddy Thomas, George Fennell, Steve Garay with Robert Burton, Billy House with Danny Drayton, Lynn Owen and Milton Moore, Larry Flint House Clerk, "Oreheads" Over in Town (Rept and Tumbler) (MGM).

Current bill is rather mild. Billy House comes in with a new routine which seems not quite set, although the formula is right. Opera alone, then he's followed by a stage who walks across the stage and harkens him from the floor. House invades the orchestra himself to do a broken skill with Lynn Owen, who remains onstage. Something about the breeze whirling off her of her seven imaginary veils. A routine about "Take Your Time" is a pale number by the big House, but a dance challenge with Danny Drayton at the finale gets a good response. One of the vet's bedtime stories might give the act a lift, but practically all the old act has been dropped.

George Fennell, puppeteer, clicks, as usual, offering a living match, lit as the only new touch to the act since his last visit. Fennell gets close attention all the way because of good routine and stage performance.

Steve Garay, impersonator, closes (and with the sweet Hitler impression he did in "Felix Bergrave" and he's assisted by Robert Burton in another turn from the same show, which played the Opera House earlier this year. Burton plays an English announcer at a prizefight, in which an Italian fighter is trimmed by a Britisher. Garay is the exorable Italian radio announcer getting the English viewpoint of the battle.

Four Names open in feathered archery that features three girls and a man. A tall girl is teamed with interest by an otherwise conventional team. Tenny and Thomas set spotlights Miss Turner, a midjet, and points on her bottom dancing with her normal-sized partner. Girl's sing-out is below par. Dancing of duo is a level idea, but below the par set by Buster Brown-Owen and George, similar act which has been a standard act for years.

One more weekend of vaude here, then a full week of theatre. Best, starting May 18, will close stage show for the summer. Full.

ROXY, N. Y.

New York New Yorkers (12), Lucille Page, Shapetta (12), Jennie Lanier, Ole Peder (12), Post Ash House Clerk, "Lillian Russell" (RKO), reviewed in this issue of VARIETY.

Length of picture this week and the desire to squeeze in as many shows as possible have resulted in a rather short presentation, only 22 minutes. What it lacks in length, however, it more than compensates for in quality. It's packed with pay-off entertainment value.

Opening is unique. Tremendous reproduction is lowered of a page from Harper's Bazaar picturing a girl in a nifty-looking colored sheet. (It's stage costume, unrolled, explains that show is the big thing for the ladies this season. (Life mag's cover last week took the same theme). As the picture from Harper's is withdrawn into the by, the curtain part to reveal a dark-blond and fragile reproduction of a.

The Gas Puffer girls come on draped in the same type sheets, which are lemon colored with a red lining, making a colorful scene. Dances are also tricky, very fluffy skirts with elaborate brass. Excellent precision work with the sheets across heavily. Still using the sheet scheme, with the line sealed in a semi-circle around her, dancer Lucille Page (New York) appears.

The Shapetta (New York) top European bicycle turn, follows. Comprising two men and a highly attractive blonde woman, trio's ability on both bicycles and unicycles of various heights is breath-taking.

Ben Yon's New Yorkers (New York), mixed workers, look better than they sing, but click well with old and new tunes. They also provide a vocal framework for Jennie Lanier (New York), post-modern charmer, whose smoothness is further accentuated by the line's final appearance on all's. An old and the girl tugged in white tie and tails on the sticks make an effective picture with their precision work. Mark.

TOWER, K. C.

Kansas City, May 18.
Rex Weber and Lee Leonard, Bill Eason and Gene Gately with Doris Kaye, Ginger Wagner, Lester Harding, Harry and Darlene Wigham, House Line, Herb Six House Clerk, "In Old Missouri" (Rept).

Wide diversity of acts assembled under title of "Whodunnit in Feathers" is dealt out this week over the usual 45 minutes. By stretching a bit, bill has average pace. Music and dancing are supplied by the house regulars, while imported acts furnish the novelties.

Film in the draw this week, underlining previous results on Wexler Bros. picture and tagging them as h. n. naturals for this type of family trade. Stage bill that has only to hold its own after the film gets them.

Feathers' title gets the house girls away waving outcries to provide a kick specialty by Ginger Wagner. Lester Harding takes over as h. n. from here and introduces Harry and Darlene Wigham as his first choice. Pair of kids (10 or 12-year-olds) have a seven-minute act built around their fall-sized acrobatics. Boy m.r.'s turn and does get off a cascade of circus tunes to appropriate immaturity. Then, if less-work on specialty strange times, even running in vocal accompaniment on "El Rancho Grande." Shortcomings on stage presence can be checked off to their youth, but two have possibilities of good opening or novelty act.

Harding's highly acceptable singing of "Wind and Rain in New York" is contrasted by "Melancholy Baby" and receives the regular heavy and deserved applause. Bill Eason follows as the first standard act with his Little-known partner, Gene Gately, and Doris Kaye as bills. Three feel tall, Miss Gately is perfectly proportioned and works well in a tall singer comic skill and in a song and dance with Eason. While Eason is personable, his moneymaking midway doesn't take as does his work with the tiny side.

Line director Mary Graham Moore pulled one out of the pre-1938 portfolio, with her girls individually costumed in various characters of "Story Book Ball." Harding vocals in background this bit of production, which highlights the line's work.

Rex Weber exhibits his standard ventriloquism a bit differently in his satirical romantic ballads. Pantomimic and nasal twang make any vocal speaking movement carry off "If I Love Again" and "Check to Check" for good response. Another Can You Spare a Dime? is done straight. Lee Leonard, the minstrel, sings lightly at the close.

The golden banner, Romaine, billed as the highlight of the show, is merely the finale. The Wagner girl of the opening number, less and guided by to be too and light-spotted, trips an exotic routine following Rex's number, which is not a media act, but windy show easily. Quick.

3 ONE-NIGHT LEGIT PLANS

B'way Ticket Brokers Plan to Test New State Law Fixing Premiums at 75c

Broadway's ticket brokers are preparing to test the new state law, which fixes the premium on all tickets at 75c over the face value. The intention is to take the matter up to the supreme court on the ground that the statute is in violation of the constitution. The high tribunal ruled against such practice under the law and, although the case was dismissed in the lower courts, it is contended that the principle is the same.

Movement to oppose the statute started among the independent brokers known as the Associated Theatre Ticket Agencies, as identified from the three major distributors—Meadell, Tynes and Leblond-Pudet. ATTA has its own attorney, but a committee was formed to seek ways and means to engage prominent counsel to represent ticket interests. Understand the "big three" are to handle this work with the idea of financially helping the expired legal proceedings.

Nearly all agencies are operating under the League of N. Y. Theatre-Equity code, which restricts theatre tickets to the above premium and there have been no recent complaints from the ticket men. Later say that business is as much off that they are willing to sell tickets for less than the 75c advance.

But is the new law that is irritating the agency is that it also puts the limit on tickets to sports events, which occasionally command higher prices. Tickets for sports, important ball games and the like have provided a means for agencies to get an extra buck or two. They aver that it isn't all gray, because the original source is in the play. Government is not interested in what price the agencies charge, as much as it gets its percentage.

There has been no move to administer the new law. Reason for the delay is ascribed to the slowness of provisions in the statute to finance it, such as fees required to establish office and police the agencies. No doubt about the stringent penalties, however, which routed the brokers into considering what to do about it.

At a police endorsement session last week, three laxative men and two brokers were interrogated, but no actions resulted on indicated charges. Complaints pertain to dealings with agencies not signatory to the code and regarded as unscrupulous.

Old Albany Legit Spot Razed by Fire Which Takes Doorman's Life

Albany, May 21. —Hermance Wheeler Hall, where all the big stars appeared in the days Albany was an important legit and tryout town, was virtually destroyed by fire breaking out Sunday night (19) soon after the final picture show. Albert A. Tobi, Crier, doorman at the theatre for 35 years, discovered the blaze and notified fire department. Crier then returned to the theatre and lost his life. His body was found the next day buried among twisted girders. Four firemen were injured in fighting the three-alarm blaze. Flames spread to the stage, but reported to be the largest outside New York City, before the fire was brought under control.

The Hall was about 30 years old, although there had been later additions. At one time the late H. B. Jarboe ran it. Later F. Ray (Tom) was in charge, working with the Shuberts. F. F. Proctor leased the theatre in 1933. He used a variety of policies, including stock and floating shows, vaudeville and pictures. Christopher Burkley followed Proctor. For the past several years the Palace circuit had been leased.

Last night in the house was Tallulah Bankhead in "The Little Foxes" for a one-nighter in March.

Producers of 'Error' To Be Pre-Examined

Richard Aldrich, Richard Myers and Myriad Productions, Inc., were ordered to appear for examination before trial in N. Y. supreme court on May 21 by Justice Louis Valentine in connection with Stanley Topol's \$75,000 suit against them. The plaintiff also failed to escape scot-free, as the judge ordered him to appear for examination as soon as the defendants are located, and also to provide the defense with a bill of particulars.

Action is also directed against Clara Booth, and claims the defendants breached an agreement granting Topol the road rights to "Margin for Error."

'Girls' Closes; Total B'way Take \$745,000

The Many Girls' George Abbott musical which closed Monday (20) at the Broadway, N. Y., ran up a total gross of about \$745,000 in 31 weeks on Broadway. It had a preliminary tryout in New Haven and Boston, grossing an estimated \$45,000 additional. Show opened last Oct. 18 at the Imperial, N. Y., and moved April 22 to the Broadway. Highest gross for a single week was \$12,000 for the Christmas-New Year season.

Closing leaves Abbott without a current Broadway production for the second time since the opening of "Boy Meets Girl" in November, 1933. Only other time was last summer, between the closing of "What a Life" and the opening of "Girls." Rodgers and Hart, authors of "Girls" will have "Higher and Higher" at the Shubert, N. Y. "Girls" is announced to open a road tour in Chicago in the fall.

Other closings Saturday (19) were "My Dear Children," Belasco; "The Fifth Column," Broadway; "Starbuck" ends this Saturday (21).

Lunts

Continued from page 1.

meat being more than \$8,000. How much of the cost was invested by Warners and the amount put in by Olivier appears to be a secret.

Why the picture firm backed a Shakespearean play is quite a mystery, both in legit and film circles. Neither of the stars has appeared in Warners films.

Miss Leigh's name is prominent on the Broadway campaign currently. She is coupled with Robert Taylor in "Waterloo Bridge" (Metro) at the Capitol, across the street from Warners' 34th Street. The Leigh-Olivier couple is also in lights at the Rivoli, which gets their "11 Days Together," an English picture made several seasons ago, today (Wednesday) and of course she's still current at the Astor in "Come With the Wind."

An added withdrawal from Broadway Saturday (19) was "The Return of the Venetian" after one week at the National. "Skyline" will terminate its excellent stay at the Morosini this week.

One next week, Louisiana Purchase, highly touted Imperial; Walk with Me, Barrymore, and possibly "It's a Girl" on home ground.

"Punchin' Up" opens Tuesday (20) at 8:30 top, following a benefit performance the night before with tickets from \$5 to \$15. First night at "Keep Off the Grass" at the Broadway, Thursday (21) will be 20:00 top. Both meetings are 24 in after-after.

GUILD AND CBS LOOK TO ROAD

ATS Announces Small-Stage Tour of 'Time of Your Life' and 'Man Who Came to Dinner' Next Season—CBS Also Wants 'Dinner'

NO PERCENTAGES

There are three different projects in two plays in intermediate stands next season, but all are in the formative stage. All are working along similar lines, seeking guaranteed bookings by means of subscriptions. Percentage dates are definitely not, it being clearly demonstrated last season by the Legitimate Theatre Corp. that such bookings invariably resulted in losses to the attractions. LTC appears to be definitely out of the small stand fold, having gone into the red heavily last season.

Plans for a string of one-nighters have been announced by the American Theatre Society, a combination of the Theatre Guild subscription system, out of town and the Shuberts, who had a somewhat similar bureau. ATS now proposes a tour department for one-nighters. Only two out of four plays expected to be used were named in the ATS plans, they being "The Time of Your Life" and "The Man Who Came to Dinner."

There appears to be some doubt about the rights of "Dinner" for small stand purposes. Stated that ATS had not approached Sam H. Harris, its producer, but that there has been a proposition from the Columbia Broadcasting System. Letter's consent bureau has been mulling the touring of legit shows for some time in communities where subscription receipts are seasonal. Idea was supposedly shelved for the time being, but it was explained that at least one year's bookings in advance would be necessary to make such a plan feasible.

NBC's Experiment

Same applies to the National Broadcasting Co.'s similar plan after it tried out condensed legit in Stamford, Conn., this past winter. "Kiss the Boys Good-bye" was presented in combination with film, but attendance was distinctly disappointing and the proposal to operate out of Pittsburgh was dropped. There will be no production departments, either by the radio end or ATS, shows being under the management of the producers, who would share in the profits.

For some time there has been a move to form a one-night circuit of the best stands played by LTC, and looking to raid it in the offing. Those interested say that there is still time to form such an enterprise for next season. That plan is to have in a comparatively limited territory, season being limited to 12 weeks, shows to be presented six nights weekly. Stipulation is that all dates be guaranteed, otherwise the tour would be called off.

Major problem of such touring is scheduling plays. Few of this season's Broadway product is available, but it is believed h.s. material can be provided by using plays which would not be opposed by picture version.

Welles Checked

San Francisco, May 21

Local technicians caused the State of California to deny movie-production permits to United Productions, a Coast edition of Orson Welles' Mercury Theatre.

Welles, with John Houseman and Herman Markowitz, had made the application, seeking to produce five stage shows a year.

Election of Officers, New Wage Idea Add Importance to Equity Meeting

'Foxes' Takes Summer Vacation; Resumes in Fall

"The Little Foxes" starring Tallulah Bankhead, will close for the summer in Chicago, where it is current, after one more week. Show will resume on the road around Sept. 1. Tour had been limited until next February, but Herman Shumlin, producer of the drama, decided to skip the summer because road conditions have turned ugly, decline out of town meeting that on Broadway.

"Foxes" was a standard flying last season, in New York, virtually completing a year's run at the National. Its day there was 33 weeks.

Legit Relief Looks Cold This Session

Washington, May 21.

Concurrent plans of Equity spokesmen and Works Projects Commissioner F. C. Harrington fell on deaf ears last week when the House of Representatives glimpsed the 1946 relief bill. Appropriations Committee continued the provision of the existing law stipulating that "none of the funds made available by this joint resolution shall be used for the operation of any theatre project."

In view of what happened last year, the committee report practically kills any chance that restrictions which have irked actors and stagehands might be lifted on July 1. Bankhead attempt to remove the limiting clause is due in the House, but apparently doomed to failure; a second last-gasp plea probably will be made in the Senate with only the weakest hope of success.

Appeals had been made to put theatre people in the same category with other job-hunters by permitting expenditure of WPA funds to pay three-quarters of the cost of stage productions with local sponsors willing, counties, or states paying the rest. No reason was given for the turning down this proposal, which had been supported by Col. Harrington, who was revealed to have informed the House Committee that he felt it was not necessary to behind the petition in order to curb a disease.

NAB THUG AFTER 3D B'WAY LEGIT STICKUP

Thief — that Raymond Morley, ex-con from Los Angeles, stuck up a Broadway boulevard, he was said. Using the same sawed-off shotgun with which he intimidated ticket sellers at the St. James and Playhouse theatres, the thug forced Irving Kaver, of the Belasco theatre, to hand over \$101 last week (14). Leonard Sang, who manages the house, saw Morley as he left the lobby. He followed the man west on 34th street until meeting Broadway, there using a rope to make the arrest.

Kept arrested in the Italian dramatist the story, but there was no frequent pursuit as claimed. The thug admitted the other legit theatre stickups plus another theft.

Belasco, which has been operated by the Shuberts that season, named "My Dear Children" with John Barrymore, show having played Belasco (18).

Equity's annual meeting at the Astor, N. Y., Friday (24) assumes unusual importance because of the election of officers for a three-year term, but other subjects more pertinent to the general membership are slated to come up for discussion, if not disposal. Indications still are that the balloting will be a quiet proceeding, despite the one candidate ticket for an independent councillor—Tallulah Bankhead.

There may be last-minute electrifying, but those who suddenly roared up and petitioned for the star have not participated in further activity. No literature on behalf of Miss Bankhead has appeared, a change of pace from previous elections, when the opposition made more or less violent demonstration. Militant Equityites will probably vote the regular ticket.

Among the proposals virtually certain to be considered is the idea of raising minimum salaries from \$40 to \$50, or more, original idea being to establish \$75 as the lowest weekly pay. The committee which has been handling the question of higher pay has filed a pro and con report, also making a number of recommendations. Matter is left to the membership. Known that more experienced members are opposed to changing the rules at this time, but there is an element adamant for the limit which would affect rank and file.

Vote of the latter may decide that issue, but there probably will be no final disposal of the controversial proposal until it is put to a referendum. Mail vote was previously a most important factor, especially from the Coast. This year that angle will be much less in evidence because of the drop in active membership there.

Coast Drags. Approximately 100 members applied for excuse cards last fall, mostly from Hollywood. Last fall, when the arrangement between Equity and the Screen Actors Guild was terminated, there was a mass withdrawal from active membership in Equity, a move that was cautiously criticized by the association's officers. SAG had been paying Equity the dues of legions in part.

'Ma' Simmons Said To Be Leaving, Last Of Shubert 'Fixtures'

E. Romaine Simmons, who has been studied to by the nickname of "Ma," is reported leaving the Shubert staff, with which he was connected for around 20 years. Understanding that the Shubert outfit is refitting its office complement for the summer, but Simmons was not affected during office change and was considered a fixture for as long as he wished to remain. He is authorizing talent in Louisville, for open air operetta, but is slated off the payroll in two weeks.

Simmons figured in the production of any number of Shubert musicals, and players seeking engagements in attractions were passed on by him, principally on the music end. He also had charge of the costume department and was familiar with a countless number of garments in storage.

When the Shuberts produced flocks of musical attractions, the staff included the unusual trio of the late Melville Ellis, actor and pianist; J. C. Hoffman and Simmons, latter having been the surviving member with the producers. Hoffman is virtually retired. He was an efficient show director, also staging and writing.

Simmons, like Ellis, is a pianist, and he was accompanist for Miss. Hoffman for many years. Reported that he was beautifully a vibration of part of her estate, which he maintained. Simmons was a familiar sight around Times Square, being in an open car accompanied by a police dog. He was 74½ years old and the father.

'FATHER' \$16,000 AS CHI LEGIT WANES

Chicago, May 21. End of the season is really coming to this town, with closing notices up on every theatre with the exception of the Blackstone's *Life With Father*.

Blinger went dark Saturday (21) after five big weeks for Katherine Stephens' *Philadelphia Story*. Saturday (22) will see the darkening of the Grand after three weeks of *Margie for Error*, and the following week will close the Selwyn and Harris, the former after six weeks of *Little Women*, and the latter after a run of 21 weeks of *Man Who Came to Dinner*.

Long will remain dark until July 1, when the Grand is slated to relight for the return of Al Jolson in legit with *Keep Off the Grass*. First appearance for Jolson in Chicago since *Wonder Bar* almost 10 years ago.

Estimates for Last Week
Life With Father, Blackstone (12th week) (C-1,200; \$2,750). Holding to remarkably fine pay considering general slackness of legit at this time. Estimated at better than \$10,000.
Little Women, Selwyn (4th week) (C-1,000; \$2,750). Struggling and will close its run in two weeks. Dipped to \$2,000.

Man Who Came to Dinner, Harris (21st week) (C-1,000; \$2,750). Holding and will end its run June 1. Had a brilliant run of 11. Managed \$9,000.

Margie for Error, Grand (12th week) (C-1,000; \$2,250). American Theatre Society subscription gave show a break at \$1,500. Another week and out.

Philadelphia Story, Erlanger (10th and final week). Was heavy grosser throughout play and dropped on brilliant \$14,000.

'LA. PURCHASE' BIG \$32,600 IN PHILLY

Philadelphia, May 21. *Leslie's Purchase*, Buddy De Sylva's new musical, which will probably wind up Philly's legit season of 1939-40, was sensational in its first week at the Forrest. Show grossed approximately \$12,000, not a record for the year, but one for the scale of \$5 top. Other Philly hits place, *Daffery Was a Lady*, got a couple of grand more, but charged \$1.50 and had the Army-Navy game with uptight prices.

Nothing seems lined up for this spring. Warren Monnell, speaking for the Theatre Guild, has announced that American Theatre Society would own Philly two plays until next season. ATSS has presented four of its smallest six this year.

Players' 'Love' on B'way With Name Cast at \$3.30

For the first time in four years the Players club will present a revival on Broadway, Congress's *Love for Love* being dated for one week starting June 3 at the Hudson, N. Y. Name cast has been assembled, inclusive of the distaff side, although women are rarely allowed within the clubhouse.

Completed cast: Dudley Digges, Ramsey Bred, Peggy Wood, Cornelia Otis Skinner, Dorothy Gish, Buddy Clark, Thomas H. Chatterton, Len O. Carroll, Edgar Stahl, Violet Fleming, Harry Jones, Herbert Ross, A. G. Andrews, Paul Perks, Delly Bellmore, Jack Prescott, J. Arthur Smith, John Seymour.

Opening night will be \$3.30 top, with the scale thereafter \$2.30. House is currently lighted with *Grey Farm*.

Sharp's Comeback

Pittsburgh, May 21. George Sharp, one-time stock prodrome here who later flunked show, with his latest production of *The Drunkard* is plotting a comeback here this fall with another old-fashioned melodrama, *The Blackguard*. Sharp is currently in Hollywood, where he has been for the last two years, and is dicker with couple of low's hotels with rooms big enough to accommodate a stage and beer garden.

Sharp had *The Drunkard* at the Fort Pitt hotel, where it ran an entire season, and he's understood to be considering same spot, the Morris Brown there. Sharp would repeat his run locally, since the town's fall of his stock and *Drunkard* almost

Paul Bellinger II

Paul Bellinger, of *Thumbs Up*, which debuts at the St. James N. Y., Thursday (22), was stricken during rehearsal Friday (21) and removed to Roosevelt hospital for an emergency operation. He played the part of a pianist in a Russian lament cabaret-opera, being replaced by Emory Kage.

Report that the show was notified with *Thumbs Up* costumes is stated to be incorrect. Explained that 15 costumes never used in the revue were found serviceable, but that there are more than 200 costumes in the show, mostly designed along Comstock and other native lines. *Thumbs Up* was slated to open Thursday against *Keep Off the Grass*, which debuts at the Broadhurst, but shifted to Friday (24).

'CLOCK' SLOW \$2,500 IN PRE-B'WAY HUB W'K

With the advance booking sheet blank, the 1939-40 legit season officially closed Saturday (21) when *Keep Off the Grass* ended a three-week tryout of boom proportions. *Springtime for Henry* concluded a so-so fortnight here, and *Blonde of the Clock* moved out after a single full week for its opening in New York last night (Monday).

Estimates for Last Week
Keep Off the Grass, Shubert (24th week) (C-1,500; \$2,500). Dipped out with about \$20,000 for final frame, looking like a fair contender for summer trade on Broadway.

Springtime for Henry, Wilbur (2d week) (C-1,200; \$2,500). Generally good word-of-mouth while in town, but there was no rush of ticket-buying. Finished with about \$10,000, okay.

The Blonde of the Clock, Plymouth (1st week) (C-1,000; \$2,500). Play-off, but not the play, received enormous press attention here, but the b.b. response was paltry. About \$2,500 for the single week.

Gallo's San Carlo Big 43G in 13 N. Y. Shows

Fortune Gallo's San Carlo opera company drew excellent attendance at the Center, New York, for its second date there this season. Given for the scheduled week and one-half engagement, during which time 11 evening and two matinee performances were given, approximately \$42,000. Date was to have terminated Sunday (19), but eight more performances have been added.

Additional shows will be played the last half of this week and next, starting Thursday (23), laying off after Sunday (26) and resuming the following Thursday (29).

SAN ANTONIO'S OUTDOORER

San Antonio, May 21. The city's newest open-air theatre is ready for occupation, built by the city on the banks of the San Antonio river in the heart of the city; capacity 500. The winding river approaches the stage before the spectators. The seats are tiered on the opposite bank.

It has a rosy stage with adjacent dressing rooms. A projection room for lighting effect and for possible motion pictures is also in the setup.

Equity Election

Continued from page 11

tures out of the side it annually collects, dues for the guild being considerably higher. Deal was agreed on when Equity made it a point that its people on the Coast join SAG. It lasted for five years, then the screen guild asked for and secured a release from Equity on the ground that it faced an operating deficit. That was a cue for the Broadway crowd on the Coast to take a walk. Aggrieved they may not appear in stage shows for some time to come, if ever again. Equity had no alternative but to issue the excuse verbis, but pointed out that most stage people out there could well afford to remain in good standing.

Consideration of unemployment is slated to come up at the meeting and that would bring in the Theatre Arts Committee, which Equity's council taboos. Matter has to do with the possibility of obtaining Government aid for the theatre and TAC might to act in concert with Equity. Latter sent a committee to Washington. It was publicly revealed, but there are indications that the legislators will not recommend a relief grant or subsidy for the theatre.

Current Road Shows

(Week of May 20)

'Abe Lincoln in Illinois' (Raymond Massey)—Metropolitan, Seattle (20-21); Lyceum, Minneapolis (24-25).

'Key Largo' (Paul Muni)—Biltmore, Los Angeles.

'King Richard II' (Maurice Evans)—Gentry, San Francisco.

'Life With Father'—Blackstone, Chicago.

'Little Fencer' (Tatishch Bookbinder)—Selwyn, Chicago.

'Leslie's Purchase' (Vera Zerkina, Victor Moore, William Gaxton)—Forrest, Philadelphia.

'Man Who Came to Dinner' (Clifton Webb)—Harris, Chicago.

'Margie for Error'—Grand Opera House, Chicago.

'Meet the People'—Plymouth, Hollywood.

'Over the Wall'—El Capitan, Hollywood.

'Philadelphia Story' (Katherine Hepburn)—Erlanger, Chicago.

'Take Me Back' (John Horton)—Cox, Detroit.

TMA'ers, Brought Up On Charges, Start Own Injunction Action

Squabble in the motion picture division of the Theatrical Managers, Agents and Treasurers' union was referred to the U. S. supreme court Monday (21), when two members, under charges of alleged strike-breaking activities in the Bronx, filed charges against Joseph Silverman, secretary-treasurer of TMA, and Charles F. Carroll, of the film group. Plaintiffs sought to restrain the union from conducting a hearing on the charges. Hearing was temporarily set back until the injunction matter is argued later in the week.

Those who started the action are Max G. Felder, Ben Brundage and Shmook G. Leigh. First two named are reported having refused to follow union orders, one declining to walk out and the other resisting the picket line. Complaint claims that Silverman and Carroll failed to open a bank account in the name of the union and embezzled TMA funds with their own. They ask for a receiver and accounting.

Inside Stuff—Legit

William Barryman, whose *Time of Your Life* won both the Pulitzer and Critics' Circle prizes as the best play of the season, gets the biggest program billing for his *Love's Old Sweet Song* at the Plymouth, N. Y., that has ever been given by the Theatre Guild. Author's name is above the title of the play and is in type almost as big. He's also billed over Walter Huston, the star.

In contrast, Robert E. Sherwood is billed inconspicuously in the program for *There Shall Be No Night* at the Alvin, N. Y. Sherwood has won the Pulitzer prize twice, with *Idiot's Delight* and *Abe Lincoln in Illinois*, and his last five plays have been Broadway smashes. *Love*, which is Barryman's third play, received generally unfavorable notices. His previous two, *My Heart's in the Highlands* and *Time of Your Life*, were not as hot at the boxoffice, although both drew critical praise.

Book B. Holt, young member from West Virginia, will not return to Washington next year, having been decisively beaten for re-nomination last week. Last summer he opposed the WPA relief theatre project, working for Gurneys against further appropriations, but despite that the Senate declined to remove such provision from the bill. When the measure was sent back to the House, the committee there insisted that the Federal Theatre Project be discontinued.

His worthy address suggested that Holt knew little about plays and show business. He voted *The School for Scandal* as selection, which brought a wry smile to professionals who thought further actor relief. Holt was informed that *The Bishop's Blackboard* was also off color. Politician mentioned around 50 plays which he claimed should not have been used by project companies. Included were *Up in Mabel's Room* and *Getting Gertie's Garter*, used by WPA stock troupes.

Final accounting on the Associated Actors and Artists of America bill took recently at the Waldorf-Astoria is not completed, but indications are that the affair hit \$200. That is somewhat less than anticipated, but hardly mitigates the disappointment over the flop of the event, which was expected to net a material amount to bolster the Four A's treasury.

Net cash balance will be around \$1,000, inclusive of \$500 due from program advertisers. Equity advanced \$1,000 to defray preliminary expenses and the American Federation of Radio Artists put up a similar amount. Understand that the balance will be split and credited those unions, each of which is to have \$500 coming from Four A's if and when.

Melba Fay, playwright and actress, dean of women and of the reform school, has resigned her post at Duquesne University, Pittsburgh, in what is believed to be an extension of quarrel between the faculty and administration. Mrs. Fay, author of several dramas including a few widely-produced religious works, had headed Duquesne's drama department since it was organized four years ago, and before that had been active in little theatre work locally. Resignation taken effect with the expiration of her contract in August.

B'way List Dips Once Again, But Lunts' 'Night', \$23,000, Holds Up; 'Father', S.R.O., Straight Show Top

Tobacco Road, 9C Detroit 2d Wk.; Holds

Detroit, May 21. Stretching out the legitimate season beyond expectations here is *Tobacco Road*, which entered a third week Sunday (19) at the Com. For its second week, nine performances with a \$1.05 top, the play picked up approximately \$1,000 to follow the first week's \$12,000.

'SHOW BOAT' BIG \$43,000 IN L.A.

Los Angeles, May 21. Town went heavily for Civic Light Opera's production of *Show Boat* at the Philharmonic. First of four weekly offerings, and crossed close to \$4,000 through the ticket. This is biggest take so far by organization, of which Edwin Lester is producer. For current week deal bill of *Show Boat* and *Never Severely* is being presented with *Show Boat* transferred to the Caran, San Francisco.

Maurice Evans in *King Richard II* failed to maintain tempo of initial four performances week before and final seven days brought only fair \$9,000. *Over the Wall*, at El Capitan, and *Meet the People*, at Hollywood Playhouse, continue to attract strong and steady patronage.

Estimates for Last Week
Show Boat, Philharmonic (1,200; \$2,750). Near capacity at each performance, with close to \$4,000 the average.

King Richard II, Biltmore (15-16th; \$2,750; 15th week). Did not hold as strong as expected on final seven days and grossed \$9,000 the week. *Key Largo* with Paul Muni debuts (21).

Meet the People, Plymouth, Hollywood (15-16th; \$1,600; 10th week). Hit around \$4,000, but current week should show gain as at least three sell-out theatre parties are framed.

Over the Wall, El Capitan, Hollywood (15-16th; \$1,600; 4th week). Drawing heavily among the clientele and should stick for few weeks longer. Last week very good \$11,000.

Estimates for Last Week
Key: C (company), D (drama), N (novelty), M (musical), F (farce), O (operetta).

'At the Stroke of Night', Belmont (D-1,200; \$2,250). Promoted by Joe Gallo and Albert de Courville, written by Percy Robinson, opened Monday; severely panned.

'Daffery Was a Lady', 10th St. (20th week) (D-1,200; \$2,500). Business continued to drop, with grosses dipping another \$1,000 in many houses; takings have shown that much; gross estimated under \$24,000.

'Gory Funn', Hudson (3d week) (C-D-1,000; \$2,250). Little to date; probably sticking for film rights; takings estimated under \$1,000.

'Hallelujah!', Winter Garden (7th week) (D-1,200; \$2,500). Long running laugh never naturally full during more than some other musicals, but should the \$20,000 mark; good profit at that level, however.

'Higher and Higher', Shubert (7th week) (D-1,200; \$2,400). Claimed to have drawn virtually as much as previous week, but has been affected, too; \$25,000.

'Keep Off the Grass', Broadhurst (D-1,200; \$2,400). Promoted by the Shuberts after favorable tryout in Boston; first night top \$4,000; opened Thursday (22).

'Leslie's Purchase', Miller (10th week) (D-1,000; \$2,250). Based off in about same proportion as other attractions, with takings approaching \$12,000, however, imported matter turned grossly profit.

'Lady in Waiting', Booth (8th week) (C-1,000; \$2,250). Also off, but not more than the field and will make some coin at approximately \$4,000; expected to be summer stay.

'Love's Old Sweet Song', Plymouth (3d week) (C-D-1,000; \$2,500). Theatre Guild subscriptions are helping with the gross again around \$10,000 mark.

'Life With Father', Empire (10th week) (C-1,000; \$2,250). Brokers had plenty tickets on hand some days of performance last week, but dropped off them and gate again topped \$12,000.

'Man Who Came to Dinner', Music Box (21st week) (C-1,000; \$2,250). Not off considerably, but under capacity-plus pass in past two weeks; grossed around \$12,000.

'Margie for Error', Majestic (20th week) (C-1,000; \$2,250). Expected to continue, but takings again dropped; estimated better than \$7,000, which appears okay with operating expenses lowered.

'Merrily We Go Along', 10th week (C-1,000; \$2,250). Reduction in scale has not helped; operating not also lowered, but hardly even broke around \$4,000.

'Nature of the Vagabond', National, taken off Saturday (18) following disappointing press and only fair attendance.

'Rustle in the Leaves', St. James (C-D-1,000; \$2,250). Promoted by Theodore Krimmerysky, written by letter and Stuart Minor; play with music; opened Friday (24).

'Supper at Eight', Manhattan (10th week) (C-1,000; \$2,250). Getting by with wide distribution, of two-furthest takings off somewhat, but gross approached \$10,000.

'The School for Scandal', 10th week (C-1,000; \$2,250). Final and 1st week; one of season's earliest grosses turned in excellent engagement; about \$20,000 last week; due to relight on Coast July 13.

'The White Angel', Curt (10th week) (C-1,000; \$2,250). Like most other attractions also dropped around \$1,000 and the gross was \$12,000; still profitable at that level.

'There Shall Be No Night', Alvin (3d week) (D-1,200; \$2,500). War developments appear to have made this drama the more important and even less all straight shows, \$22,000, which is rapidly.

'Take Me Back', Forrest (10th week) (C-1,000; \$2,250). Lowest scale on list; latest reduction attracted more people, but did not hit the gross; around \$12,000; road show making money, however.

'The Merry Wives', Broadway, closed Saturday (18), but benefit performances was played Monday.

'Two for the Show', Booth (10th week) (C-1,000; \$2,250). Announced out this (20th) week; estimate revenue was being very well until recent slump started; \$1,000 estimated.

ADDED
'Gone with the Wind', 21st St. (1st) (C-1,000; \$2,250). Initial full week before then expected after mostly unfavorable notices; around \$10,000, which is claimed to better even opening week.

'Two and Two', Windsor (12th week) (D-1,000; \$2,250). Closing down late in June after unusual day; prominent weekly union revenue and profit; approximately \$1,000 appears to be even break.

Broadway

Paul Duniell, suffering with ill-effects from a cold.

George D. Lefkowitz in news from Miami for a week.

Felix Krivicki looking for a house at Westport, Conn.

Famous Dale Winder, went to Henry Dolly, visiting New York.

Phyllis Brooks is town looking over summer stock possibilities.

James O'Neill of Equity slipped on rug at apartment, straining his back.

Jerry Scharine again leads Ford publicity forces at the Fair this season.

Carl Fisher, general manager for George Abbott, doing two weeks of jury duty.

John R. Harper, CBS commentator, called with his wife for South American vacation.

Former mayor Jimmy Walker will be part of luncheon at the AMPA lunch tomorrow (Thurs.).

Dr. Leo Michel, M.D. on Broadway, has made application for service in the French hospital corps.

Joe Clark is general manager and Jack Dillon is general manager of "Street of Paris," at the Fair.

Yehudi Menuhin, currently on vacation, is in California in August.

H. R. Swanson, Coast literary agent in New York for past month, returned to the Coast Friday (21).

Track attendance away off at Belmont. It's either the war, clock market or the players went broke at Jamaica.

Ray Madlock, AGVA executive-secretary, due back today (Wednesday) from attending party issued to the union's Boston hotel.

Bachelor dinner Monday night (21) for Joe Conn, chief of the executive staff of the Paramount, who is marrying June Davis June 1.

Leo Johnson of the Metro exchange is back on the job after removal of his right eye, which had become affected by a growth.

Albert Schneider, of CBS artists bureau on the Coast, played next Monday (22) on radio for Oscar Welles. Returns in about two weeks.

Dorothy Fletcher, who handled the play department of Anna Watkins, Inc., literary agency, resigned to join Coast story department of one of the major studios.

John Chapman's confidante at the News, having him a farewell luncheon Friday (21) at Cag Rouge, before he swept assignments with Ed Sullivan.

Budd Schulberg, loan of B. F. and Adl has completed a Hollywood movie, titled "What Made Sammy Run?" in he published by Random House in the fall.

Harry Warner, eastern rep. for Walter Wanger, flew to the Coast Saturday (21) from the United Artists convention in Chicago. Back to N. Y. next week.

Game Gilbert, of the Times music department, critically ill in hospital with flu and strep infection. Gilbert's continuing his review-column under Gilbert's by-line.

A fake cable society gag will be staged by Sherman Billingsley at his Black, having Bob Hope's "Brenda and Celine," at his radio troupe, when they hit N. Y. next week.

Doris Davenport, in Ben Goldwyn's "Westerner," drove into New York Saturday (21) and trans back to the Coast tomorrow (Thursday). No particular reason for coming.

Andre Kodelmetz planned in from the Coast last week. Will headquarter in the east through the summer, but make jumps around the country for concert appearances with Lily Pons.

Bill Hattigan, new picture actor, making the rounds of the shows and due back to the Coast at the end of the week. But he claims that "New York is my town" and will return soon.

Edward Arnold, east for a Kate Smith broadcast, planned out Saturday night (21) for a Hollywood Broad-Tan-American program. He goes into "Brooklyn Bridge" for 20th-Fox about June 1.

Katherine Locke, just closed in "Fifth Column," plans to the Coast to switch on picture deals and join her husband, Morris Hepner, resident in charge of production for Alexander Korda.

Alma Page, in New York to do "Lillian Russell" on last week's Kate Smith program, remains about a week to see the show. Will take a rest before going into "South American Way" at 20th-Fox.

One of the largest midtown restaurants, Tidwell's, will write an "Eggs." Long-term lease at \$100,000 annually has been taken at 4th and Broadway in the tugboat recently built on the site of the old Fitzgerald Hotel.

Lawrence and Mrs. Tildelt taken to San Francisco in the private car of Thomas J. Watson, International Business Machines pres. for the show's radio date for IBM at the opening of the Golden Gate expo. Due back June 1.

Max Weidly, Paris designer, back for the war time after working with John Ringling North on the production of the 1939 edition of the revue.

Ballet House, 25 in troupe, off for a South American tour. Also the Three Emperors.

Harry Mason, who has taken over Brad's on West 42nd street, is putting in a small film show and matinees.

Sam Denbow, Jr., and Leonard Goldblum returned Saturday (21)

from a two-week tour of western Paramount theatres.

Mimi Green, together with her parents, Joe Green and Bonnie Green, yet under set, will be officially welcomed at the Fair tomorrow (Thurs.)

on the single Mimi is the only picture player who lives in Flushing, next door to the Fair Hotel.

King Vidor returned from France, bringing with him his two daughters, Antonia and Helene, who were in school in Biarritz. Their mother, Eleanor Boardman, star of the silent films, returns on a later boat after winding up the family's French affairs.

Home Croyle, in town for a few days last week, then returned to home at London, Ont. He doesn't intend to join the Canadian army for the present, but will leave in a few days to spend at least part of the summer with the Lakewood players, Shawhegan, Me.

Albert, one of the world's best known headwaiters at Lincoln's, the Ambassador, Le Parcquet, and more at his own Club Albert, in Paris, died recently there, according to word just back from the French capital. He was 74, in many visiting American showfolk.

Paul Robinson will ring the Bell concert performance of Earl Robinson's "Ballad for Americans" at Lincoln's stadium, N. Y., June 24. He introduced it last winter on the "Portrait of Happiness" program.

Lawrence's date will be Robinson's first N. Y. concert in four years.

Australia

By Eric Savaris

F.D.R. Jones' among the highlight songs throughout Australia.

Will Mahoney review and doing so in New Zealand on tonight.

Anthony Scott, Hollywood director, leaving home after a lecture this territory.

Switzerland in show may go to U. S. following New Zealand run for Williamson-Tait.

Dr. Ehrlich (WBI) secured by Nazis for an extended run try in Sydney next month.

Yehudi Menuhin will give two concerts in Sydney under the management of Williamson-Tait.

Ullat has been formed in Melbourne to manufacture television sets. Capital is listed at \$25,000.

Michael Joseph, 26, widely known advance agent during the tough days of Aussie legs, died in Queensland.

Teddy Lane will handle special exhibition for "Pioneers" (REEL) when he leaves in for Greater Union Theatre.

Lee Smith, after Tivoli circuit postponed, is now playing dates for Sydney in Brisbane. May tour the states later.

Gregory McMahon, indie producer, doing a legit version of "On Borrowed Time" in Melbourne for limited run. Home talked over.

Binia Menier's S.E. has dropped membership in this zone. Her recent pic, "Everything Happens at Night" (GEM), doubled badly for Horis.

Stanley F. Doyle has completely quit the pic field to further build up the Albert-Dupre commercial radio loop, now regarded as the most important in this series.

Tivoli loop will quit a troupe of local radio stars next month. Troupe will be worked into a unit by Wallace Parodi for a lengthy play in Melbourne and Sydney.

Pic industry has provided two mobile trucks free of cost to prevent not entertainment around Victorian training camps. British and U. S. districts giving free product.

Williamson-Tait, dithering with idea of reviving "Vagabond King" in Sydney. Would be a 30-in. until E. J. Tait leads some new shows from U. S., where he is currently.

Local producers are laying off importing Hollywood players for pic, fearing the line too early, especially as major portion of the production cost has to come from the government.

Acting playing Sydney and Melbourne for Tivoli loop include Marie Burke, Ann Bowe, Barbara Blane, Syd Berk, David China Troupe, Gilbert Brink, Van Strassman, Herbert Young, Andre and Sharon, Len Rich, Paul and Paulette, Bobby Merle, Novellus, Chuck and Chorkin, Culture Guard and Louis Carr.

Atlantic City

Max Herman's Music Bar opened Friday (21) with Billy Van with.

Bill Madeline's band established at Traymore beachfront for another season.

Ben Vaudrey, manager of Traymore hotel, now general chairman of Beauty Pageant.

Dick Rubin will bring band to Bitt-Coffin's Merry-Go-Round bar today (Wednesday) from N. Y. Hotel Afton.

Norma Harrison, Treasurer of Atlantic City's Playhouse, gave Mr. Gentry President before 100 women Saturday (21).

Alma Kitchell, of NBC, told Jerry Robinson and Professional Women Saturday (21) about evolution of radio in 20 years.

Buchette's office opened Saturday night (21) for its 20th season. Buchette (Mrs. Daisy) Stedman has Joseph Brigh's such and Emanuel Oursler's chumbe band.

London

Robert Donat sick again.

Gracie Fields has promised to fly to Egypt and Palestine to entertain the troops.

Leon M. Lion revised "White Parents Sleep" for a twice-nightly season at the Kingsway.

Helton Barnes replaced Toddlie St. Denis as Jumpy lead in "Me and My Girl" at the Victoria Palace.

The Theatrical Garden Party, annually given in London for Actors' Orphanage, will this year be held at Brighton.

Stand leader Doreen Sumner lost his only surviving child when his son, 24, was killed while serving in the navy.

Ralph Smart, formerly scripter for Warner Bros. "London," off to Australia, to take charge of local commercial radio station.

Cinemaograph operators over 25 have now been added to the list of restricted occupations, which means men who will not be liable for military service.

John Corfield, head of British National Films, dithering with Edmund Goulding to come over from Hollywood on a one-picture directorial deal with Eclair.

Richard Tauber, now a naturalized Briton, leaves for France May 28 to give eight concerts for the soldiers. Will play also Western Front band to entertain.

Clive Brook's daughter, Fay, following in her father's footsteps. Has just been chosen by her college to play female lead in students' production of Cheever Dane's "A Bill of Divorcement."

Come, the clown, in private life Ronald Palfrey, born a Russian, but now a British subject, is serving in the British army. His autobiography was published a few weeks ago and entitled "Circus, the Clown."

Peter Hudson has acquired "Trade- man's Entrance," farce by Jevon Brandon Thomas in which he will appear with the author. Has specially brought Claire Luce from France to play female lead.

John Mills about to appear in Associated Talking Pictures' "Soldiers Three," being filmed at Ealing, in which Tommy Trinder is starring. Suddenly recalled to the British Army, after having been given leave. Michael Wilding replaced him.

Livorno theatre, which was to have been demolished under the London County Council scheme of widening the Wellington street-front area, and which has been held up for the war, taken on lease with several options, by Tom Arnold and Harry Foster.

Paris

By Joseph B. Savaris

Jean Kemm, French director of silent films, and stage director, died at 61.

Agnes Copey making film debut in "Agnes et le Meris," starring Lilian Harvey.

Eric Sevareid, Columbia broadcaster in France, became father of twin sons.

Dennis Arndt's new play, "1928," premiered at government-backed theatre, the Odeon.

Sacha Guitry's "Flamenco," which opened war light season in fall, back at the Madeleine.

Cordene Luchaire in Italy with Georges Rigaud to do "Albion," with Marie Mathis playing.

Maurice English, Chicago Tribune correspondent, sent to Madrid to replace Alma Small, who transferred to Brussels.

Blind cineaste Henri Geraud off to South America with wife to give series of sketches, dances and song shows.

Henri Lartigue, Circo's director, revealed that he dropped 80% when all military leaves were suspended in mid-April.

Caroline Taylor, daughter of Ed Taylor, former Chicago Tribune correspondent, died at St. Cloud after one month's illness.

Jean Gabin and Michèle Morgan back on hit in Neuilly studio to finish "Bismarck," halted by his illness in September.

Claire Luce to replace Maurice Chevalier at least in Casino de Paris show towards the end of June with Dr. Marks' dancing deal.

Henri Hippolyte to be seen in "Petroulla Blanche" ("White Petrol"), which is nearing completion, with Constant Remy, Jane Arden and Paul Azouk featured.

Henri Verne announced that Casino de Paris show would be headed by Josephine Baker for 1940-41, Maurice Chevalier 1941-42, and Claire Luce 1942-43.

Brenda Bruce, British legit, radio and screen artist, received slight internal injury when struck by car at Place de l'Opera when in Paris enroute to England from Switzerland.

Jaques Coppey, Victor Colombier head now on lecture tour in New York to replace ailing Edmund Brando in Columbia France head until latter recovers from automobile accident.

Four sewing machine picture trucks equipped with 16 mm. property and sound equipment have been placed in service by British cinema section to show to French and British soldiers in France.

Following Sacha Guitry's "Toujours

Were Nine Bachelors" and Yves Montand's "They Were Five Men On Leave," to be played by Abel Gance, work starting in July.

Austrian refugee center in Paris announced death in Vienna of Victor Lecoq, 82, librettist of "Merry Widow," who died in poverty with property confiscated by German authorities because he was a Jew.

Association of French Dramatic Artists, presided by Victor Boucher, celebrated 100th anniversary with dinner and play written by Sacha Guitry, with author, Louis Jouvet, Madeleine Renaud, Doree Ozeri appearing.

Jury awarded 1940 Strasbourg prize of \$1,000 for outstanding French writing on the United States to Max Lambert for his "Les Etats Unis d'aujourd'hui," a sort of intellectual guidebook to American historical problems.

Edmond Fritsch's nephew, Hugo Ham, formerly of Prague national theatre, now acting in French girl, "Mlle en Flamme" ("The Girl in Flame"), has finished scenario, "They Met in the Water," which is to be made into French film.

Henri Bernheim's "Elvire" at Ambassadors, to run until June 26, then goes off boards until Sept. 1, when it returns for another two months' run. Finally will be replaced by another of the author's new plays, "Fortune," with Andre Lugnet and Renee Devillers as co-leads.

Edith Piaf, cabaret entertainer, added to an old love's notice in Jean Cocteau's "Mousseline Surree" when Madeleine Robinson taken ill with appendicitis. Former leader of role, Jane Holt, died in next day. Gaby Sylvia on Monday, with Mlle. Piaf taking role for good on Tuesday.

St. Louis

By Sam K. Herd

Robert B. Brown, 22, active in the Mammery and Town Theatre, died of paratyphoid fever.

Roger Gibbons, Peoria, Ill., staging miniature "Hollywood Openings" at cabin in the city and St. Louis nearby.

The Grand, downtown, has switched from straight burlesk to burlesk for the summer, grinding from 12:30 to 11:30 p.m. daily.

Ralph Graves, projectionist at the Columbia, a babe, died following a major operation. Fellow craftsmen donated blood for several transfusions.

Renovating Investment Co., operator of Forest Park Highlands, amusement park here, has purchased grounds and adjoining acreage for \$100,000.

Annual dinner for guarantors of Municipal Theatre Assn., sponsor of municipal opera in Forest Park, will be held in Cold Room, Hotel Jefferson, Friday (21).

The \$120,000 Municipal Auditorium had a profit of \$2,042.42 during the fiscal year ending April 8, compared with a loss of \$27,000 during the previous fiscal year.

Jimmy Connelman, former football coach at Washington U., contracted to play role of Bill Johnson, football coach, in "Good News," to be presented in Forest Park playhouse starting July 18.

Bernard Macdonald, technical director of Little Theatre, will head group of native thespians and operate star-theater at Lincoln, Mich., in summer resort belt. Group will use tag of Caravan Players.

Joe Garrison, local manager for Universal, tapped to district manager with jurisdiction over St. Louis, Kansas City, Omaha and Des Moines.

Pete Dana, former district manager, takes over special immediate assignment.

"Sea Love," symphony composed by William J. Connelman, member of the composing and arranging dept. of the St. Louis office of the Missouri WPA project, will be played at Banding, Pa., by the Philadelphia Philharmonic.

George A. Hoffman, native, capped a contract from Warner Bros. and makes screen debut with Edward G. Robinson in "Brother Orchid." Hoffman's screen tag is George Hayward. Some in many opera chorale last year.

Cleveland

By Glenn C. Pallen

George Stevens, after winter at Buxar, back at Decca-in-theatre as manager again.

George Young, auditing bookkeeper for summer at Buxar, putting in "sea" shows and film trailers.

Frederic McCann's Flag House staff getting troupe together for annual trip to Chattanooga, N. Y.

Variety Club barbers previewed remodeled clubhouse last week, but formally baptizing them with a June 1 closing.

Dina Bee Evans (starting rehearsal at "American Way" for Cain Park's straight outdoor amphitheatre June 27-July 8).

Bob Opat, leader of Vernadigan arch, and Anna Salimann set June 1 wedding date. She's granddaughter of town's former sheriff.

Daughter of William F. McDermott, Plain-Dealer drama critic, broke his perfect 20-year swimming record. Checked into hospital, but now okay.

Hollywood

Abel Finkel said on recent vacation.

Martha Raye divorced from David Ross.

Maxine Jennings divorced Rudolph C. King.

Bela Lugosi back from six-week stage tour.

Rain Edwards joined Republic's casting office.

John Howard to Birmingham for the air scene.

J. Walter Ruten in Canada on location hunt.

Melina Eddy back to work after nasal operation.

Blanche Yurka is town for another crack at the films.

Max Coward making the late spots with Marlene Dietrich.

Glenn Aubrey back from eastern personal appearance tour.

Pauline Goddard planned to Mexico on a fishing expedition.

Gene Fowler checked off the RKO lot to complete another book.

Ann Marie Schumacher switched to Ann Loring as a film de RKO.

Arthur Murray in from New York to open two new dance spots.

Frank Mills back to Chicago after business with James Roosevelt.

Edward R. Griffin to Richmond, Va., to oversee location shoot.

Stirling Hayden changed his screen name to Norman Stirling.

Walter Aldrich aging Hollywood from a leader's viewpoint.

Carey Robinson took off for a Copper Mountain tour of the Coast.

Miklos Rado in from London for musical job with Alexander Korda.

Arthur Eddy returning east after three years on Warner's publicity staff.

Robert Young switching his Alaskan trip to a Honolulu vacation next month.

Elva Neville back from England to reprise her husband, Alfred Hitchcock.

John Garfield married in from New York to await his next Warner assignment.

John Grierson looking over the studio for the Canadian public relations service.

Lawrence Tarver moved in as assistant to Dan Kaffay at the Universal casting office.

Pittsburgh

By Neil Cohen

Burnum-Bingling show will make its annual visit here June 1 and 2.

It's a gal at the South Whitehall. Fox's director of the Fox Players.

For Dorothy, Miss America, came in from Detroit for the "Lillian Russell" press.

Julius Lapides, U branch manager, and his minor have moved off for Miami vacation.

Ann Corie is half way through her coming autobiography, "Men, Gentlemen and Others."

Father-in-law of Kay Moshan, Penna drama critic, died suddenly last week in Florida.

Sheldon of Mrs. Ben Brennick, gal Friday to Dave Zimmerman at Fox, died suddenly last week.

Buddy Brady back to Fort Monroe, Va., after spending leave at summer here with his folks.

John Moffat and his wife, Talise Dunson, off for Reading to summer at Green Hills Playhouse.

Opening of Old Gray Gardens at new location delayed for two weeks on account of remodeling.

Illick Hoover, Playhouse press agent, and actress Peggy Howell will tell it to a promoter June 1.

Fully Bowlin will do "Biography" for two weeks in July with Eric Players at Lake Champlain.

Jimmy Saphire in to spend a day with his old college roommate, Joe Freeman, WB advertising chief.

George Tyron off for Atlantic City to spend four months preparing for showman's Jubilee and Beauty Pageant.

John Maganoff back from New Bethlehem, where he helped his parents celebrate their golden anniversary.

Norman Fleishman, son of Brighton Theatre owner, and Dorothy Guitry have announced their engagement.

Wade town outlined by the nation death in Florida of Hazel (Mrs. Mike) Cohen. She was the former Hazel Jennings, a starlet.

Bill Blawitz, of M-G M-G most publicity department, vacationing here with his parents, the Joe (Major theatre manager) Blawitzes.

Chicago

Max Coward made the rounds of all Chi legit shows on his three-day layover on way to the Coast.

Jack Levin came in for opening of Charles Brown orchestra at the Empire Room of the Palmer House.

Don Anniche came in from Clarks (Pa.) premiere of "Lillian Russell" for visit of the home town and his old radio gang.

Pat O'Brien and Donald Crisp parted by Warner Bros. came on way to South Bend for "Katie Rickard" Baker.

Edward G. Martin resigned as manager of Quincy ballroom here to take over direction of Lake Lawn summer discotheque.

OBITUARIES

WILLIAM E. ATKINSON

William E. Atkinson, 38, former v.p. of Metro, was time v.p. and general manager of the RKO Theatre Corp., and who emerged from retirement in 1932 to become pres. of Fox Theatre Corp., died of a heart attack May 18 in Charlottesville, Va.

A Briton by birth, Atkinson was educated in England and saw service in the River War. Coming to the United States in 1904, he managed the Pantages, then, Electric Co. from 1906 to 1910, when he left to enter the film industry as sales manager for the old Kalem company.

He held varying positions in the moving picture, and in 1920, following a merger of the assets of Samuel Goldwyn and Louis B. Mayer, was appointed v.p. and general manager of the new firm known as Metro-Goldwyn-Mayer Pictures Corp. The following year he resigned to become general manager of the RKO Theatre Corp., which built the RKO theatre and several other large houses in the metropolitan N. Y. area.

Returning to his Charlottesville home in 1934, he returned four years later to head Fox Theatre Corp., replacing Marjory L. Clarke. In 1938, when Fox Theatre went into receivership, he and John F. Sturges were named equity receivers to handle the liquidation. He again retired shortly after assuming this post.

Surviving are his widow, Ethel; two sons, William Atkinson of Wellesley, Mass., and William E. Atkinson, a student at the U. of Virginia, and a daughter, Marion, also a U. of Virginia undergraduate. He also leaves two brothers and three sisters who reside in England.

Funeral services were held yesterday (Tuesday) in Charlottesville and interment took place in nearby Monticello Memorial Park.

JOHN E. LODER

John (Jack) E. Loder, 48, well-known Pittsburgh publisher before ill health forced his retirement 10 years ago, died at his home in that city last week after a long illness. Loder at one time was connected with the Earl Carroll theatre, New York, and also worked in Detroit for a number of entertainment enterprises there.

He was press-agent for Lowe's Aladdin Theatre, Pittsburgh, when Louis A. Sidney was making presentation history at that spot, and later became publicity director for Kensington Park. He was a navy veteran of the World War. Widow and one survive.

A. M. BEATTY

A. M. Beatty, 61, head of the overseas entertainment division of the American Expeditionary Force during the first World War, died in the Essex County (N. J.) Sanatorium Thursday (18). He lived in nearby Nutley, N. J., and had been ill about six months.

In show business and allied equipment fields for years, Beatty was an executive of the International Projection Corp., N. Y., when he became ill. Survived by his mother, widow, son, daughter and two sisters, one of whom, Ruth, operates a carnival in the midwest.

EDWARD LOCKTON

Edward Lockton, 61, British composer, who wrote more than 1,200 compositions in a career of 32 years, died May 18 in London, England.

Some of his more popular songs were "Tommy Lad," "Where My Caravan Rested" and "Whispering of Mine." His ballads "Out" and "Breeze" were reported to have sold in excess of 1,000,000 copies. Another of his successes, "While the Great Red Dawn is Shining," was written while he was on duty as a special constable stationed as a sentry outside Buckingham Palace in the last war.

SELMA MARSON

Mrs. Selma Marson Lucas, 64, who as Selma Marson appeared with the Hammerstein Light Opera Co. and the San Carlo Opera Co., died in Paris May 18 after a brief illness. A resident of Paris for 12 years, Mrs. Lucas more recently had been active in raising funds for the Salvation Army and had devoted much time to Allied relief agencies.

Survived by a brother, Berthold M. Naumann, of New Rochelle, N. Y., and a sister, Mrs. Harold Phillips, of New Garden, L. I.

ALANZEE H. HINCKLEY JR.

Alanzee G. Hinckley 34, 23, son of Supreme Court Justice Alanzee G.

Hinckley of Buffalo, died in an automobile accident near Hillsdale, Mich., last week.

For the past two years he was associated with the Cheek Theatre Studio, Ridgefield, Conn., and when killed was enroute to Chicago for a theatrical engagement there. In 1937, he left Yale to play in "The Eternal Road."

RALPH BEHLING

Ralph Behling, 52, stagehand at the "American Jockey" show at the New York World's Fair, died of a heart attack while preparing the sets for a performance Sunday (19) night.

Behling had been a member of Brooklyn Local, No. 41, stagehands union, since 1914, and served as business manager from 1917-21. Survived by widow. Funeral services will be held tomorrow (Thursday) in Brooklyn.

CLYDE E. ANDERSON

Clyde E. Anderson, 38, died at his Atlantic City home Thursday (18) after illness of eight months. Was vaudeville comedian before going to A. C. After touring as stagehand with Earl Carroll's "Varieties" for several seasons, he became stage carpenter at Earl Pier, A. C. Leaves widow, Blanche, and sister, Mrs. Mabel Scott of Syracuse.

JAMES E. YESOY

James E. Yesoy, general manager and v.p. of Puritas Springs amusement park, Cleveland, died May 14 in Cleveland from a heart attack.

Surviving are his widow, who owns the park, son and daughter.

JOHN BRONKH

John Bronkh, 38, dean of Cleveland bondsmen, died May 12 at his home in that city, where his furniture store had been a civic institution since 1881.

Mrs. Anna R. Greening, 51, wife of Gus E. Greening, who has managed more than 25 theatres here, died suddenly in Detroit following a heart attack. Beside her husband, she leaves two children.

Burgess Bell, 43, studio art designer, died May 12 in Hollywood after a long illness. Surviving is his widow, Gwen Wakeling, for years fashion department head at 20th-Fox.

Mrs. Clara Allen, mother of Vera Allen (Mrs. Lee Miller), radio and stage actress, and wife of Earl Allen, Coast theatrical manager, died May 18 in San Francisco.

Father, 72, of Phil Baker died May 18 in New York, a couple of weeks following amputation of one of his legs due to gangrene that set in because of a blood clot.

Mrs. Emma Reikens, 33, mother of Richard Reikens, film producer, died May 18 in Beverly Hills.

Bert Langenkamp, 64, film cameraman for the past 26 years, died May 18 in Hollywood.

Mother, 74, of Lawrence Grish, manager of the REG Allen, Bays, died in Trenton, N. J., May 8.

Writers' Pic

Continued from page 1.

ation. Reported he finally decided it would be easier to earn the money than dig out a way of effecting the necessary sum. He therefore approached Sturges and Hart, and the latter pair agreed to join him.

It will be the first collaboration for the trio, who comprise one of the biggest money-making combinations in the history of stage authorship. Kaufman and Hart have collaborated on such comedies as "Once in a Lifetime," "You Can't Take It With You," "I'd Rather Be Right" and "The Man Who Came to Dinner," besides several other successes and near-successes. Each has also had various hits with other collaborators.

Sturges, always previously working alone, has authored the following five comedies in succession: "Perfidy," "Tovarich," "Milk and Honey," "Abe Lincoln in Illinois" and "There Shall Be No Night." All three playwrights have not only had money by their picture plays, but also have likewise written directly for the screen on numerous occasions. Estimated their combined earnings from legit and film would run to many millions.

Although Kaufman describes the

three-way collaboration as still a nebulous idea, it's understood that the trio seriously intends to go through with it. Figured the work will have to be done soon, however, as Kaufman and Hart have to go to the Coast this summer to make the picture version of "Man Who Came to Dinner" for Warners, and Hart is readying his own serious play for a fall production in Broadway.

Nazi Spieler

Continued from page 1.

and other countries. According to one account, when coming back from Germany after doing some work there, he couldn't get his money out, so bought jewelry instead and brought that back to the States.

On a recent broadcast Ward mentioned a portrait he had received from his home town, Gloucester, Ill. With that lead, Time magazine learned that Ward was in all probability Edward Leopold Delaney and in its current issue raised the question, and also published an old photo, from which people in the business identified Delaney. The "E. D. Ward" is simply his first name, Edward. Time did not go into his background.

Ed Johnson of CBS, who regards Ward's stuff as hot but basically Nazi propaganda differently delivered, plus a sarcastic slant on the Allies and the U. S., calls him the "New-Nazi for the United States."

While very glib on the air three times weekly over CBS, Johnson does not believe Ward's stuff is spontaneous but that instead it is carefully prepared and polished. He is on Mondays, Wednesdays and Fridays. CBS found Ward about five months ago and at first he was on the shortwave airwaves every week, increasing his shows as he began to take on. Johnson regards the former American as having a good sense of showmanship and calls him "glib" though dismissing any thought that Ward is there as well on the advertising.

MARRIAGES

Martha (Mickey) Devine in Harrier Dodge, in Baltimore, May 18. She's a former "Varieties" showgirl, he's son of the late millionaire founder of the Dodge auto plant.

Babe Marks to Myrt T. Blum, in Las Vegas, Nev., May 14. Bride is sister of Mary Livingston (Babe) Smith; he's Jack Benny's business manager.

Virginia Welles to Charles D. Lebowitz, in Phoenix, Ariz., May 18. Bride is the divorced wife of Orson Welles, and known to legit as Anne Stoddard; groom's a screen writer.

Maxine Jennings to Ed Byron, in Warrenton, Va., May 17. Groom is producer of "What's My Name" radio program; bride is RKO contractee.

Anita Louisa, film actress, to Maurice (Shady) Adler, scenarist, May 18 in Los Angeles.

Maurice D. (Red) Koss to Frances Gross, in New York, May 18. He's editor of and bride is also on Rex Office.

Mary Ewing to F. Bourne Rutland, in New York, May 17. He's with the advertising firm of Rutland & Ryan, of which his father, Wilbur B. Rutland, is v.p.

Ruth Miller to George Tyne, in Indianapolis, Nov. 24, just revealed over weekend. Bride is dance director, he's advertising ch'f for Harris Amos Co., Pittsburgh.

Imogene Hale to Dr. Bert Reissner, in New York, May 18. Bride is an orchestra leader and daughter of the red-headed team of Rose and Moe.

BIRTHS

Mr. and Mrs. Bernard Wilder, daughter, in Brooklyn, N. Y., May 18. Father is with the home office theatre department of Warner Bros.

Mr. and Mrs. Jerome Hill, son, May 15, in New Rochelle. Father is with sales promotion division of CBS.

Mr. and Mrs. Charles Levin, son, in Hollywood, May 18. Father is an advertising staff at Metro.

Mr. and Mrs. Jack Jacobson, twins, son and daughter, in Hollywood, May 12. Father is film sound technician.

Mr. and Mrs. James Strickland, son, in Hollywood, May 13. Father is film player.

Mr. and Mrs. Lew Larry, daughter, May 17. Father is manager of several programs and entertainers over KTLA, San Antonio.

Mr. and Mrs. Jack Fitzpatrick, son, in Denver. Father is news and sports announcer KJLZ, Denver.

Mr. and Mrs. Kingsley F. Bowles, daughter, in Boston, May 1. Father is sales manager at WEEB, Boston.

WHAT THEY THINK

Net Anti-Union

New York.

Editor, VARIETY:

Read with a great deal of interest the May 15 Variety in which a Glendale, Cal., theatre patron is said to have seen an anti-union film made by the National Association of Manufacturers.

This Association is not opposed to the right of employees to organize and hence it has made no anti-union films.

While I realize that the source of this story rather than Variety may be responsible for this error, I feel that as a matter of justice and fair play you do not want to contribute unwittingly to spreading this gross misrepresentation of American industry.

At the Congress of American Industry in December, 1938, the members of this Association adopted a set of principles relating to the conduct of American industry. In this platform are these sentences: "The employees should have the right to join any labor organization he wishes, or none at all, as he may himself deem best in his own interests. The action he takes in this regard should be arrived at as a matter of his own free will and volition, without coercion, duress or intimidation from any source."

I should like to invite you to the offices of the National Association of Manufacturers in the Time and Life Building to see and hear "Your Town," which the Glendale Theatre patron calls "anti-union." After seeing it I am sure you will agree that it is a wholesome piece of educational entertainment which will make you proud that you are an American enjoying the blessings of civil and religious liberties and free enterprise which have made this nation the envy of all the world.

Walter R. Weisenburger,
Executive Vice-President,
NATI Ass'n of Mfrs.

Film Song Plot

Philadelphia.

Editor, VARIETY:

In your May 13 issue, you state that Playmates become popular with a minimum of air plugging. Also

that Emily-Joy-Belmont thought that Kyrer and Harlow had done the trick. Taking away no glory from the above gentlemen, but what was that nationwide plug April 24 in the Will Rogers Memorial reel, which was shown to concentrated audiences for an entire week on the screens of the nation's movie houses? This reel which included Kay Kyrer's hand "playmated" everyone in a fast-tell.

Credit the movies on this one.
Very truly yours,
Mortie Goldsteinberg
Manager, State

Not Carben Copy

New York.

Editor, VARIETY:

Your reviewer was quite right in his comments on the first broadcast, "Fun in Funt," last Sunday. Frankly, however, we are not trying to compete with "Information Please," nor is the show strictly a cartoon revue.

He was right in asserting that I was jittery because of the obvious state in which Hendrick van Loon arrived. It was a laugh assignment for a first broadcast, and we were lucky to get by at all. Your review was the only really unfavorable comment we received, as I trust Variety will have someone later in again when we have struck our stride.

Sigmond Speth.

Protection—Against Curs

New York.

Editor, VARIETY:

It seems the only way a person can break into the headlines these days is to invade some place.

So, in an effort to compete with the boys over in Europe, Tommy Dorsey and his orchestra invaded New York last night (Tuesday), making headquarters at the Hotel Astor. The invasion, mind you, is solely as "protection" for New York's Protection—against curs!

Jack Egan,
Minister of Propaganda,
Dorsey High Command.

Charity Showmanship

Continued from page 12.

one of two things to a rule: (a) hired a professional radio director or (b) gone to some school or college with a radio workshop or class and borrowed the technical brains, talent or personnel there available.

The average community chest drive runs two weeks to a month. During this period the maximum publicity impact upon the public is sought. Every method of arousing sympathy and evoking cash donations is employed. And radio, perhaps more than any other single channel, seems as all-important to the success of such drives. Radio's willingness to acknowledge an obligation to help is not accompanied, however, by a willingness to clutter up its program schedule with business and pompous citizens delivering windy speeches. The charity folk, it is now commonly held within broadcasting and the charity world alike, is as objectionable as caged in September.

Entertainment programs loaded with names and aimed to strike groups through participation is the technique followed by the Greater New York Fund, which in June will wind up two months' intensive drum-beating in the metropolitan area. This campaign is probably the most pretentious of any now regularly organized each year in any American community. It is set up with the hard-headed practicality of a political machine operating in every precinct and panning up no lots.

Kidnap as Chairman

Significantly, five members of 12 on a public relations committee for the New York Fund are radio men, or intimately acquainted with the medium. These are Edgar Kidnap, the chairman (who recently resigned from Lick & Thomas), Miles Tremont, Ken Dyle and Doug Manoverly, of NBC; Henry Chermayeff, of Consolidated Edison (and in charge of its broadcasts). Other members are Edwin Fulton, M. Joseph Leigh, B. B. Geyer, Marie Gluck, Mark Seftin, John W. Durr, Dorothy Newman.

The two professional radio directors involved in the drive were Alvin Gordon, who previously handled State of New York's radio campaigns, and Jerry Crowley, with his

prize radio drive experience, who has since moved on from the Fund to the Rockefeller-founded Air Youth of America.

Union Taken

An important phase of the Greater New York Fund radio publicity operations concerns the encouragement of labor unions to produce broadcasts of their own aimed at their own membership. For example, the Hotel Workers union had its president, Michael Garriga, two other officials, a singing trio and a dramatic monologist, all from the union ranks, on WEVD. John Markey, the educational director, recalled, at the Transport Workers union, appeared on WMCA with others. The "Plan and Needle" and represented the Ladies Garment Workers on WABC. On WOR, a workers chorus backgrounded the officers of the Amalgamated Clothing Workers. The Edliners, a company glue club, did its stuff on the same station on another Fund program.

These local station, home-talent programs are supplemental to the series of big splash entertainments arranged by the Fund directly. This is the typical "benefit" type of show such as the Madison Square rally of April 1, in which Fred Waring, Tommy Dorsey, Glenn Miller, Will Bradley and Victor Stone appeared along with Jan Peerce, Dorothy Maynor, Calgary Brothers and the Greenleaf Dancers.

The radio director of the charity drive desires above all to pivot his publicity around well-known personalities, and to this end there is constant pressure upon celebrities. This year's Fund had Jimmy Walcott, ex-mayor, as a frequent master of ceremonies. Other participants included Eddie Cantor, George Jessel, Molly Pious, Walter Catlett, Tommy Rizzo, et al.

Sherman Crutcher yesterday's playing at Ditty's Terrace Garden. Alvin-Bardings Road. Ned Harvey's is the other hand. Is the floor show area: Lane, Edwards and Allen, Bowers and Smith, Anderson and Robinson, Eden and Her Electric Chair, Ray Danvers and Florence Hallman.

Todd's New Orleans Village at N. Y. Fair Easily a No. 1 Midway Standout

Michael Todd's Gay New Orleans village, with three distinctly separate and joyously contained revues, opened on Friday (17), one week before the N. Y. World's Fair's official starting date, but surprisingly enough to crown him the new kingpin of the midway. New Orleans is the first of Todd's four Fair ventures, and he has been called, possibly for the first time, the most entertaining boy on the Great White Way in Flushing Meadows.

Todd is also operating the Music Ball, playing the condensed "Streets of Paris," dancing campus, which is gracing hands at 25c admission, and the former Morris England show, and the Old Opry House (see Globe Theatre) with additional show. These give him a big edge on all other midway showmen in number of attractions. New Orleans pulls him out in front on the artistic side as well.

At the Friday night preview, Bob Calman, of the N. Y. Mirror, referred to Todd as the Mahatma of the Midway, which means a graduation for the man whom the trade was referring to recently as the Mad Monk from Chicago. His audience now looks like big numbers, perfectly spelled out by such expert technicians as Maxine Short, who staged the Gay New Orleans show; Walter Burritt, who designed and built the beautiful midway stage; Gene Sharoff, who designed, and Maxine, who executed the most striking costumes to be found anywhere at the Fair.

Also of an small measure is the successful connection in the southern area turned out by Allan Roberts, Buddy Barker and Jerome Brown. All three are virtually unknown names, but practically all of their times sound like hit parade numbers.

The music, in fact, is the foundation of the review, one song, "Dollary Brown," being the title number for the all-colored show, while "Baker's" (the white jump-and-dance). Third review is the "Mardi Gras Frolic," which combines both acts and Maxine Page, the Flame Dancer, and Carrie Finelli, the white-skinned act, as well. "Mardi Gras," because of Miss Finelli's raciness and Miss Page's intensely made dance, is really a midnight blowoff, timed when kids wouldn't be in the audience.

"Saucer" Best

"Saucer" is probably the best of the two regular reviews, though "Dollary Brown" isn't very far behind. Rick Plant, baritone, and Ruby Meyer, soprano, are its singing leaders, doing handsomely by such tunes as "Who Can Deny," "I Touch'd a Star," "It Wouldn't Be Love" and the rough-shouldered theme song. Another tune in this review is "White Turkey," sung by the 18 Althea Beach dancers, who also uncover some excellent juggling. Bennett Dillfield and Co., doing a pantomime knockabout scene, and Ben Davis, whose drunk antics on a stage and prop juggler are standard in trade, interpret the production routines. "Saucer," which is led by Miss Meyer and a male quartet tagged Four Dots, includes Carlos and Carla, a hot mixed double team that is mixed with comedy via the men's looking on drums dropped in his legs.

The white show lasts 45 minutes, and half-hour intermissions give the colored review. Latter includes a mixed choir of 18, a peppy, well-timed mixed chorus of 12: Ann Lewis, a very good rhythm singer; the Laphys, male quartet comedy team, and the Berry Bros. (2) bowtie the long standard in vaude and insight colored actives. This review is also distinguished by its music as well as outstanding, "Fiddling Niner," "Cotton's Up" and the title song all showing.

Mardi Gras' Motive

"Mardi Gras" removes all wraps for the midnight show. It's not for parents or kids, but yet, with the exception of Miss Page's "nudity," all of its business is aimed for laughs and gets them. The idea of having Ben Davis work on a gipsy-style statue, he himself, is a strong laugh in itself. The crowd starts as he traverses the hills and valleys to reach the top of the plaster female, and as he makes rather piggish of anatomical structures not mentioned in very polite society.

The same audience reaction comes when Carrie Finelli wears eight corsets posing as a schoolgirl to be-

At Last!

Bernie Maestri, N. Y. Daily News drama critic, in his review of Gay New Orleans at the Fair, referred to Michael Todd as 'a genius.' This makes it official.

Todd has been claiming the same thing for the past few years, but nobody believed him.

were of the predatory mode, Miss Finelli emphasizes her very special song with surprising control of her chest muscles, and every exclamation point wowed the opening night audience. Miss Finelli is also doubling into Carrie's La De Bon In, which is heavily decorated and is one of four bars in New Orleans village. Other there are the Abscon House, which will open some time this week; Saucer Bar, which gets a plug in the show; and the drinkery in the New Orleans Restaurant, a close salery with native cuisine.

Miss Page's Flame Dancer is the only supposed nudity in New Orleans village, but actually she's wearing fishnet. The Flame Dancer, incidentally, is one of Todd's first show his creations and was at the Chicago World's Fair in 1933-34. It's the dancer of a forth burning her wing on a candle and doing a flame-flaming routine in the "raw." Miss Page's real chance is an act in the number.

Best of "Mardi Gras" comprises the colored and white acts replacing some of the tunes from their original shows, and finally the induction of Mark Plant and Miss Meyer as king and queen of the shindig. This ending, like the "Saucer" and "Mardi Gras," entails the bringing in of a horse-drawn carriage and they are striking effects.

Financial Setup

The rebuilding of last year's Little Old New York side into Gay New Orleans cost over \$100,000 from the physical aspect alone. Counting for all these shows is said to cost another \$15,000 and easily looks it. The gate is the, which means that plenty of quarters must pour in to pay off profits at the midway next October, but if the Fair itself gets them then New Orleans is a pinch. For entertainment and as a hangout, it's perfect for the late week, while the daytime and evening shows won't disappoint the afternoon and evening crowds. Test of the spot's big draught came Saturday (18), when the Fair drew nearly 20,000 paid admissions. Todd late that night claimed that New Orleans counted 18,000 paid admissions that day, making better than 10% of the Fair's paid attendance.

The European catastrophe's dampening effect on the public's spirit may hurt the Fair and its conventions, but whether in the red or the black at the midway, Todd has nothing to apologize for in New Orleans. He's giving them terrific entertainment for two-bits.

FORD PLAYHOUSE

(Ballet, Style Show, Film)
(FREE)

"A Thousand Times Reigh," presented by the American Ballet Caravan. Directed by Lincoln Kirstein; production designed by Walter Dorwin Teague; song and lyrics by Edward Malley; musical score, Tom Bennett; choreography, William Dollar; costumes, Alvin Colt; orchestra by Norman Clavier.

Featuring: Marie Jerome, Nick Magliocco, Kurt Karasinski and Vladimir Yousloff, supporting ballet of 18.

Latest Industrial Firm to employ good showmanship to attract visitors is Ford Motor. After spending \$200,000 on a 100,000-sq-ft showroom, the company has apparently spared little expense in presenting a 45-minute stage and film show. Of course, the ballet is the act attraction, and fully lives up to audience belief.

It is the first time a full-length ballet has been commercially sponsored by an industrial concern. Incidentally this also is the first time any ballet has been set for 12 performances daily over a six-month stretch. Cast of 12 or more, used in the previous Friday (17) night, also includes 24 relief performers, which is only natural considering the enormous audience presented.

"A Thousand Times Reigh," title of

the ballet, quickly traces human-vehicle battle from the Model-T era to the present day, with audience given to understand that the arrival of streamlined motor cars has seen the village stage elevated to new glory as a variety of war, singing and music.

The three scenes are projected in rapid succession, with a revolving stage eliminating any waits. Dancers make use of all the static portions of ballet technique, although the story is shown-to-earth Americanism. Interest is built about the fate of a typical American home, with the clever team of Kurt Karasinski and Vladimir Yousloff making it seem almost human. Marie Jerome and Nick Magliocco solo and are in last American Ballet Caravan tradition. Their efforts are outstanding.

Entire ballet was produced under the supervision of Walter Dorwin Teague, designer of the Ford building and exhibit at the Fair. Story and lyrics were written by Edward Malley, while Tom Bennett, staff composer for NBC, did the music. The final dancing was directed by Lincoln Kirstein. Bulk of cast was taken from his American Ballet Caravan. William Dollar, a product of the American School of Ballet, provided the choreography, while Alvin Colt was costume designer. Norman Clavier directed a 12-piece orchestra which plays the full ballet score—all recorded.

"Symphony in F," short in Technicolor made by Audio Productions, is an instructional subject depicting the work and material that go into a Ford product. Much of it is highlighted by clever miniature figures used in carrying out developments. Background is from music by Edwin E. Ludig.

Automobile film show, which opens with the film and ballet following in that order, offers slight attractive feature models. Each represents by her garb whether she is the modern girl, the society dame or the professional man's wife—and each expressing her choice for a specific car model. It's an outright plug for the Ford product, but fairly well executed.

Entire performance runs about 45 minutes, with 18 minutes for the ballet.

WHY DO

(The)

Features: Pat Pata, Jean Buckle, Norma, Wills Mae Lane, Linda Carter, Frankie Brinkley, Jimmy Brown.

Philip Gell's second attempt at the fair has possibilities, despite the odds for his show. Gell produced last year's Crystal Palace, and this season's effort is reminiscent of the comedy end. Show is housed in the building used by Time and Space exhibit last year, with some 400 seats well arranged on two levels.

Gell describes this as "a musical extravaganza of love, depicting noted episodes of history." Gell retains a kidding act, who is supposed to argue with an elderly female dancer in the audience. This sized bit of show caught, when some male patrons out-bid the plant until the m.c. was forced to plead for dignity and ship most of his so-called wisecracks. Best dancer of lot, Norma, walked off stage in a huff after a barrage of unsmooth heckling.

Pat Pata, most recently in burlesque, does a mild grip on the dimly lighted stage as she sings to show. Jean Buckle, at the Fair last season, is back with her man-woman specialty, but tempered, Wills Mae Lane, in a primitive African dance, works under wraps in small reforms.

Norma, supposedly a Japanese tempo performer, clocks neatly, adding class to the show. Her Japanese garb and obvious ability also help. Linda Carter's rough dance is marked by the funny smoking a lucky cigar. Miss Pata is an earlier bit in a static manner in colorful costume, with a flash of the undraped posterior as the chicken. An undisciplined Oriental dancer works in the shadows, ducking from one side of the stage to the other, outside alternately lighted baby spots. Production consists mostly of manipulated lighting effects, with a giant mirror arrangement for Pata's feat. Music is canned. "Why Do" was doing exactly for Saturday (18) night, as it's evident the Fair crowd wants a flash of back, no matter how served up.

RCA EXHIBIT

(Television, Radio)
(FREE)

Radio Corp. of America, Inc. decided to show again this year at a rent of around \$200,000, with the showmanship about around. This angle was indicated when the company used one of its Victor recording bands, Larry Clinton's, for its opening Saturday (18).

Full emphasis has been placed on television, with two auditions on radio for continuous shows. Motion picture short, which attempts to eliminate any variety surrounding television, is shown each group in an air-conditioned projection room, just about 100. Film graphically shows what goes into night-around housework. Group then appears in 20 separate scenes, each filled up

Frankness Pays

A Barker at the World's Fair is credited for the draw of a DuFour and Rogers minor comedian, called "Fakers of Wonders" up to now. They have ordered new signs which will read "Fakers-a-Turion."

Spicer's line of gab is in the effect that he couldn't urge people to see the show, because "I know you'll be gripped, but it's only a dime to get in." That seems to have got 'em, for the joint is doing okay.

Like a typical living room and not equipped with an RCA television receiving set. Each room gets the 10-minute telecast simultaneously.

Then the group goes outside to watch the television studio, which sent out the program, in actual operation. In good weather, the television studio in the courtyard will be employed. Television cameras are also spotted about the grounds for special pickups.

Exhibit also features a pump-jack demonstration of RCA Facsimile, with scanning machine and receiver in operation. A highlight, too, is a complete radio production line with a new radio turned on every 11 minutes and made available for purchase on the spot.

A large music lounge, where Victor records may be picked and played on request, is an addition. The giant electronic microscope, costing \$17,000, also is spotlighted prominently. RCA also features its recording studio, the kiln and glass and the RCA Communications display. This year a 24-foot fishing boat, with special gadgetry, is anchored in the garden. Two-way radio on an airplane, motorcycle and police car also are shown. Entire exhibit was planned and carried out by Joseph D'Agostino, young company engineer.

20,000 Legs Under Sea

(The)

This was Italy's "Dream of Venice" last year. Same group, with new additions and without William Morris, Jr., now operate. The same futuristic artist motif prevails, with modernized overalls, swimming in a tank, principally clad with shiny trunks. An addition is an aesthetic, barefooted dancer who writhes below the tentacles of an "robot" in a make-believe water tank (merely a dimly lighted miniature stage with screen covering).

Instead of one swimmer, there are three this season—and the tank has been enlarged and more effectively lighted. Show continues to have the sleeping beauty scene, however. After the opening day, foliage was added for covering. It's a slightly different walk-through, but may find response from the midway's more elaborate shows a little tough to overcome.

GAMBLING BAN OUTDOOR TO WEIGHT GUESSER, 52

Murphy, May 21.

City's stringent purity campaign had a tragic repercussion last week when Al Melzer, 52, weight guesser with the Broadway Bros. carnival, dropped dead of a heart attack after being told by Police Chief Will Lee that his act was among those barred at the Memphis Cotton Carnival last week.

A weight hater for more than 20 years, Melzer had worked the Mid-South Fair and many other events here. When told that his bit was among the "banned games" which the police were barring from the midway at gambling, Melzer called on Chief Lee to protest that the ban would ruin him. His plea was refused.

Returning to the lot from police headquarters, he began talking to Roy Jones, of Springfield, Ill., because excited, suddenly collapsed. He was dead on arrival at Baptist hospital a few minutes later.

Widow and two sons were notified.

Air Carry Sets Names

Birmingham, Ala., May 21.

Film and radio names are expected to take part in the 10th annual National Air Carnival to be staged here June 1-3.

Names are headed by Wallace Beery, Jackie Coogan and Jay Rabinovitch of films; Don McNeill and Evelyn Lynn of NBC; Breakfast Club; Bob Hope and Ella Fitzgerald's band.

Jeanie Hugel, formerly with Jack Green band, is new feature vocalist with Brad Hunt in Pittsburgh, replacing Margie Green, who is being Hunt with going to Biggest Show U., for the summer.

High Court Upholds Mann Act Conviction; Lewises Ruled Guilty

Washington, May 21.

Conviction on Mann Act charges of two operators of an attraction with the Blue Ribbon Showy stands as a result of the U. S. Supreme Court's refusal yesterday (Monday) to hear argument on the question whether persons not responsible for the routing can be held to operate in interstate commerce. Final legal impasse ended the appeal of Irving and Rose Lewis, who were found guilty last year of violating the white slave law by taking three young girls over the Indiana-Illinois state line.

The Lewises, who ran "Mademoiselle Review" and "Anatomie of Youth," explained they did not know the background of the girls who had shipped as orphans and isolated there was no intent to "traffick." Because they had nothing to do with the bookkeeping, they claimed it was impossible for them to be charged with "transporting" the young females.

Brief on behalf of the convicted show operators maintained the girls were well treated. No evidence of prostitution was produced at their trial, the Supreme Court was told, so it is fantastic to find them guilty of violating the Mann Act on the theory they had an "intent to debauch" the damsels.

SILENT FILMS PAY OFF; TODD'S 'DRUNKARD' OFF

Mike Todd's silent film policy on a slow grind at the Opry House, on the Globe theatre, where it was part of the Morris England village last year at the N. Y. Fair, is doing well and will continue today.

Todd had a "Hot Drunkard" in mind for the theatre, which formerly played steamship Shakespeare, but that's off as long as the anticipated film held up at the box.

Circus Worker Wounded By Act's Stray Bullet

Pittsburgh, May 21.

A markswoman "blacked her gun" after putting on a target shooting act in the Wallace Bros. circus here Saturday night (18) and left town for the weekend, unaware that one of her bullets had wounded an employee. George Atkinson, 45, victim of the accident, was in the Allegheny General Hospital here with a bullet wound in his left side. His condition isn't believed to be serious, however.

Police learned that he was struck by a 22-caliber bullet which glanced off a target during the shooting act of Tex Collins. Circus officials said she would communicate with police here at once. Neither Miss Collins, who left for nearby Kittanning, Pa., after her last show Saturday, nor circus patrons knew that there had been an accident.

N. Y. Fair Sidelines

Memor in which Larry Clinton had attracted visitors to the Radio Corporation of America exhibit Saturday afternoon may prompt RCA to up its budget for the expansion display as other Victor recording artists will appear during future weekends. Clinton's crew played in RCA's new water garden.

Ed Kautz, formerly in charge of NBC's publicity copy desk, is now with the fair's radio department and turning out a script survey on the exposition used weekly by New York radio stations.

Important phase of the limited attendance at the Fair is the middle of the first week was the huge percentage of visitors who went to the Great White Way. One conservative surveyed at the number of potential patrons on the midway Wednesday, when total attendance was little more than 42,000. Last year, he said, it took 100,000 on the grounds before the midway did much business.

Outside badly for midway shows are more attractive this year, with quality being pretty girls as common instead of Michael Josephs.

Special events department of the Fair received a shakedown last week, with Lee Corp. publicity (now called in to make the arrangement of these activities).



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Alice Faye

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20th Century-Fox's

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SHOW BIZ VS. 5TH COLUMN

'Live in Peace' Propaganda?

Sensitivity around the American radio networks is anything but war-music of a war song still persists. While the lyrics of "I'll Fight For You," a Little Music, Inc., import from England, contains no reference to war, there's one line in the song which has had to be censored by U. S. network output.

The questioned line is, "And we'll live in peace."

British Actors in H'wood and N. Y. Resent Hicks' War-Slacker Blast

British actors both on Broadway and in Hollywood were deeply resentful this week of the sarcasm of Sir Seymour Hicks, English player-producer, on their failure to return to the motherland for active war duty. Criticism that while they bemoan their arms they "gaily" see the footlights" was termed absurd.

Attitude of the Britishers in America was summed up by Laurence Olivier, currently appearing with Vivien Leigh in "Romans and Julius" in New York, and producer-director Herbert Wilcox, in Manhattan for the BEO sales convention. Both declared that they had been informed by British authorities that they would be doing the best possible service to their country by remaining in the United States and promoting the British character.

Maximino, New York-born Robert Montgomery, who has been in England doing a picture for M-G-M, found the Ambulance Corps time. At the same time, playwright Noel Coward said:

Roller Skating Luring 350,000,000 Admissions Yrly; Menaces Pk Biz

Spurge of audience-participation sports, one of the prime motives to American film biz in recent years, is threatened as fully justifying the worry it has occasioned by an estimate that a minimum of 250,000,000 admissions a year are being paid to roller skating rinks.

Roller skating is only a minor aspect of the desire of the American public to get out and do something active instead of sitting in film shows. One of the best of the sport is roller skating. Yet skating is a game for...

Die Parlo Interned in France for the Duration

Paris, May 28. Die Parlo, German actress who has been starred in scores of French films, is back to a French prison-camp. Authorities are reported as stating she must be interned for the duration as an enemy agent.

Stark Realism

Lowell, Va., May 28. Amateur thespians in Winchester, Va., looking around for an appropriate place to produce the murder trial play, "Night of January 18," finally would be producing it in the Corporation Court House.

Audience packed the spectators' section and jury box.

BOB HOPE'S 20G VIA % IN ONE CHI WEEK

Bob Hope walked out of the Chicago theaters, Chicago, last week with \$20,000 for his end of a gross business of \$40,000. Hope played the house on a guarantee of \$12,500 and a 30-30 split over \$40,000, getting the high take by playing 42 shows during the week. Six shows were played on all days except the first Saturday (18), when he grossed out seven.

Tomorrow (Thursday) Hope opens at Lorne's State, New York, at the same guarantee and a 50-50 split over \$40,000. From the State he goes to the Michigan, Detroit, June 1, where...

REVUE'S POLITIC GAGS CAUSE RIOT; ARREST 22

Manitowish, Wis., May 28. Customers of the Teles Lovers have become riotous since, while they are a good sport about the 10-cent guarantee to get a ticket for an anticipated diversion. The theater has closed recently for several days by the same factors because of frequent clashes which usually sent at least three persons to the hospital and had a dozen or more in jail, resulting from actors' pranking about domestic politics.

The Lovers was allowed to reopen after the management's promise that it would anticipate politics. Five days after it got going, already a riot broke out during the midnight show. Twenty-six arrests were made.

UNITE TO BLITZ BLITZKRIEGERS

Amusement Men Recall That President Wilson Invited William A. Brady and Group to Help Dramatize Patriotism

'WAKE UP' ROLE

Washington, May 28. One of the important links in President Roosevelt's swiftly crystallizing plans for national defense will be the marshaling of all divisions of American amusement industries in a drive to actively combat "Fifth Column" and subversive activities, and raise the standard of national patriotic fervor.

To this end, close advisers of the Administration have furnished adequate precedent in reviewing the splendid volunteer service which films, the legitimate theatre and vaudeville performed in the period prior to our entrance into the World War in 1917. At that time President Wilson invited to Washington a group of leading showmen, headed by William A. Brady.

For the moment, official conferences have between Government departments heads and industrialists.

B'WAY OKAY DESPITE FAIR

Indications are rather clear that the World's Fair is not hurting Broadway. So far it is helping attendance, judged from boxoffice receipts last week, when most of the grosses were better after having declined during the first three weeks of May. Cloudy and cool weather plus rain helped the Fair receipts, but proved a break for the theater.

Most of the Fair's worst season is therefore a reversal of what happened last year.

20th Grooms Ann Todd As Shirley's Successor

Hollywood, May 28. Ann Todd, 31, is being groomed for stardom by 20th-Fox as a successor to Shirley Temple. Company has a number of suspect plays among them "Little Town" originally planned as a Temple vehicle, but shelved when her contract was settled. Warner had ambitions to sign the Todd picture when she played in their picture, "All This and More Than That," but David L. Lewis, executive in charge of her services, obtained when she played a support part in "Blue Bird."

Slam at Herbert Hoover Brings NBC's Refusal of Pearson-Allen

Couldn't Hurt B.O.

World War II has revived the tale of World War I, when the late Percy Hammond, then dramatic critic of the Chicago Tribune, was defeated from covering shows to return to his old chair as war correspondent. "But suppose," an actor of that day quipped, "he hasn't like the war?"

SINCE WHEN IS A CANNON MUSICAL?

Philadelphia, May 28. The British Band Drill concerts are scheduled to open June 18 with Tchaikovsky's "1812 Overture."

As part of the campaign the concert promoters persuaded the National Guard to lend them three 21 mm. anti-tank guns to furnish the clanging just as the composer intended in his original score.

But on Friday (24) Samuel B. Rosenbaum, chief producer, received a letter from Local 71, American Federation of Musicians, which warned that if the cannons were fired as part of the overture they constituted "an instrument" and therefore would have to be fired by a member of the union.

Last night (May) audiences were held at the National Guard Armory for the place of "symphonic bombardment." At least a half dozen members of Local 71 who were vets of the artillery in the last war tried out. A musician who also was a member of the National Guard was finally chosen.

JOLSON'S SWITCH TO OLD B'WAY ROUTINES

At Jolson will try to revive a technique of almost a quarter of a century as a musical comedy star by doing his vaudeville and comedies and interludes in the routine routine of the show, 100th Street 41.7. Jolson, like his wife, Garden days, when at the 11 p.m. routine, or thereabouts, he would perform the musical piece for almost another hour, the kind of Jolson's forthcoming stage musical, "Gold Diggers of 1935," will call for back-to-back to yesterday's success. In these acts he will also do new interludes.

With Baby Esther (ex-Mrs. Jolson) and Martha Raye co-starring, show gives this theatrical double bill a July 7 opening in Chicago trying the Democratic national convention.

NBC has refused to accept Doree Pearson and Bob Allen, Washington informants, as participants for "True or False" in J. B. Williams Co.'s Monday night spot and the probability is that the network will do their routine for the showing even around on Mutual. Reason for NBC's frozen dates back to a crack they made about Herbert Hoover last year while participating on the Chicago University's Roundtable, an NBC program. They claimed that Hoover had been going through the South buying up votes. Hoover demanded a retraction, and got it over the same network. Later there was talk by the informants about suing NBC.

Deal made with the writing commission by Williams was for nine weeks, starting June 28. After NBC had advised J. Walter Thompson that Pearson and Allen were not available, the agency inquired of Mutual as to available time on a time-work basis.

'Bring Own Booze' Policy in Pitt Spot As Lure for Kid Trade

Pittsburgh, May 28. First top-flight Pittsburgh restaurant to make a play at it without a liquor license will be the Willow, which has just been taken over by Perry Ross, operator of Show Boat several seasons ago. Ross plans to advertise a "bring your own booze" policy and will peddle only appetizers and soft drinks.

Just opened Thursday (26) with Bob Miller's work and will be managed by John Magallon, figure in many local localities for more than a decade.

Ross, who will sell only a small selection of liquor at the time, claims there's a big kid trade in Pittsburgh that hasn't been tapped and he's going after the under-21's who aren't permitted, under state home regulations, to patronize spots where liquor is sold. Willow has been a headliner except for possibly one season, to a number of managers over since Tony Comfort, owner of two-time prosperous Nizam cafe, gave up the summer-trade spot more than five years back.

Interstate Circuit's 'Trojan Horse' Shorts

Dallas, May 28. Interstate Circuit may soon be introducing "Trojan Horse" shorts. It was said last week, and will be its strategy for national distribution. Marion Dix will be asked to appear in one. Ann 11 to make Mr. Astor's American approximations and to teach him how to take the villain's name.

WAR OR COMEDY PICTURES?

Pix Package Deal Vogue Growing; Feldman-Blum Also Lines 'Em Up

Vogue for package deals, originated in radio, continues on the up-burst in Hollywood with a second large agency in recent weeks turning its efforts in that direction. Paramount is the field of providing story, writers, producers, directors and talent, all neatly bound up in a single contract, is the Feldman-Blum office, which has had a rpe in New York for the past six weeks quietly lining up properties and a stable of artists.

Until recently specializing in talent, F-B has added a story and writer division to enable it to make up the packages. Frances Macon, former story editor for Samuel Goldwyn and Columbia Pictures, is in charge. She left for the Coast last Sunday (27) after being out for a month and a half acquiring rights to represent several same artists in the field and a number of stories. She's been editing the package around as soon as the initial ones are completed.

Macon Corp. of America recently acquired a story and writer department also in order to be able to make up similar deals. With indie production on the upgrade, this type of deal is seen as advantageous to both producers and major studios and is envisaged by the agencies as means of taking in an entire big mouthful of remounts at one bite.

BURNS & ALLEN SET WITH SPAM

Hollywood, May 28. (Spam) Puck Co. (Spam) has contracted Burns and Allen to do an evening show next season. Anson will drop its afternoon show, "It Happened in Hollywood." B&A agency is now negotiating with both NBC and CBS for a spot, and the indications are that it will be the Saturday 8-10 p.m. period on the red network.

Deal is also being worked out to show some of the "Hollywood" show film in the Burns and Allen setup. Later work up their films deal June 28.

Burns' shouldering of a talent obligation such as B & A marks one of the earliest signs of an advertiser in radio in recent years. After some experimenting with spot broadcasting the meat packer took a flyer with the daytime show on CBS April 2, 1939, so that within a year and a half Burns will have, it is estimated, landed its radio bill by 50%.

THURBER-NABOKOFF'S ANTI-WAR BALLET

James Thurber and Nicholas Nabokoff will collaborate on a ballet, "The Last Flower," based on the James's picture book of that name. It has an anti-war theme. Will be produced by the Monte Carlo Ballet House when the troupe returns for its fall season after its current South American tour.

Work will be Thurber's first for ballet. He will write the book. He's co-author with Elliott Nugent of "The Male Animal" at the Court, N. Y. Nabokoff has written considerable serious music, among other works being the score for "Under Paradise," which the Ballet House presented several seasons ago.

Benny's Hula Sista

Hollywood, May 28. Jack Benny and Mary Livingston will take a two-week sabbatical in Hawaii following the Jella seasonal break in June 16.

On their return, Benny checks in at Paramount to begin film with Fred Allen.

Mob Psychology

Indianapolis, May 28. Freddie Miller, WPMI staff pianist-singer, caused a minor mail stampede recently when he offered 50 tickets to Allen Faye's "Lillian Russell" film opening at a local theatre. By the end of the day 1,500 letters were received.

Tickets were awarded to 50 persons who had sent in special delivery letters. Cost of the letter was 12c stamp. A 10c tax on tickets made total 22c. Show can be seen in theatre for 22c before 8 p.m. each day.

Theatre Exec Wants to Keep War Off Screen

Kansas City, Mo. Editor, VARIETY:

Your lead story in last week's VARIETY (May 27) about producers' tiring with stories dealing with various phases of the war only serves to strengthen the belief of exhibitors that Hollywood is growing more and more out of touch with the entertainment needs which it is supposed to serve.

The air is full of war, the newspapers are full of war, the public talks nothing but war, and if the screen is to be read with the war (Continued on page 32)

RITCHIE'S INDIE PRODUCTION UNIT

Robert Ritchie, in production in England for Metro, prior to the outbreak of war, is on the Coast to work out plans for producing on his own in this country.

Ritchie had been in New York since early last fall working on plans for release, financing the production.

Ameche Challenges 20th Loanout in Par's Suit

Los Angeles, May 28. Don Ameche denied the right of 20th-Fox to loan him to Paramount for "The Night of Jan. 27" in his answer to Par's \$149,871 damage suit in federal court. Studio demands that amount because of asserted loanout obtained through the actor's refusal to play in the picture.

Under a verbal agreement with 20th-Fox, Ameche claims he has the right to approve the script or loanout rules. Another defense maintained in his answer is that he offered to report for work in the picture March 4 and March 5 after his refusal on Feb. 18. At that time, he contends, Paramount could have produced the film without incurring the losses claimed in its suit.

Whiteman at Culver City

Paul Whiteman with his big band from his band depart for Culver City this weekend to do their musical chores for "Strike Up the Band" at Metro. Film is virtually completed save for the Whiteman's story.

Expected to take only a week. Whiteman leaves returning to Blokhin, N. J., farm for a rest before opening at the Ritz-Carlton hotel, Boston, July 2 for a fortnight. He then takes up an intensive schedule of tours and non-tours.

MPLS. EMPHATIC IT WANTS LAFFS

Others Feel Cycle of Martial Films Will Be Beneficial—Rushing 'Em Out, New and Old

PARTISAN FEELING

Minneapolis, May 28. Film houses here are doing comedies as fast and furiously as they are able to do so. In its present mood and temper, the entertainment-seeking public apparently want to forget their fears and worries and seek laugh-provoking offerings, according to exhibitors.

In recent weeks the local boxoffice performers in the loop first-run houses, too, have been comedies. "My Favorite Wife" at the State last week, for example, did a particularly lustrous business, giving the house one of its best grosses for a long time, running week and week with the similar "Roberta." Others that have delivered in the face of bad conditions include "My Girl Friday," "The Merry Housewife," "Buck Benny Rides Again" and "Steps at Sea."

Of recent holdovers, three out of four have been comedies. The one (Continued on page 34)

Mayo Fights Goldwyn 'Exile' Order to Make Picture in England

Hollywood, May 28. Archie Mayo, who is instructed on the return home of a battlefield, has no desire to become the target of a bombing attack, so he has filed a suit in superior court to determine whether his boss, Samuel Goldwyn, has a legal right to send him to England to direct a picture.

Mayo has a contract, according to his plea, calling for two directorial jobs a year, at \$12,000 each, with a time provision of 32 weeks per year, plus \$4,000 for every overtime week. The contract, he declares, runs into 1942.

Goldwyn, asserts Mayo in his suit, requested him to alter the contract to one calling for three pictures per 42-week year during the balance of the term. The alteration, Mayo charges, is an 'exile' as director of a picture in the war zone.

The suit further states that a trip to England under current conditions would entail risks, privations and food restrictions not contemplated at the time the original contract was signed.

BRUCE CABOT'S FILM OUT IN HAYLOFT DEAL

Hollywood, May 28. Bruce Cabot inked a longshore contract for five weeks of straight drama, with a provision that he may sag back to Hollywood for a picture any time a studio calls. Part calls for three weeks in "Our Sunday Afternoon" and two in "Silent Design" on the New England picture circuit.

The Hollywood angle was inserted because Oliver Jones is doing a screenplay, "King Pin," with Cabot as mind for the top spot. It is still during the summer, the actor claims back.

Stauger's New Col. Deal

Hollywood, May 28. Three Stauger (Howard) Fine and Haward drew a new two-year contract at Columbia calling for eight two-weekers a year.

This is the fifth season for the husband-and-wife team. He Green street in.

RKO's Boy Wonder, Orson Welles, Tells Conventioneers How and Why

Won't Know How

Hollywood, May 28. Dorothy Lamour's old reliable young wife a vacation to her next three pictures at Paramount.

Script calls for conventional clothes in "Mama Over Burma," "The Road to Zanzibar" and the other, still untitled.

Loew's, N. Y. Fair, Also Hotels, Ally In 'Cheer-Up' Rally

Convinced that show business and all other business is being done irreparable damage by the present prevailing gloom because of the war, Loew's theatre circuit, through Oscar Dan, publicity-ad chief, started a "cheer-up" campaign this week. Support of newspaper editors, business organizations and clubs is being sought to dispel present gloom which has hit the business so badly in the last 18 days.

Drive obtained a running start in New York City when Ben Serkovich, Capital Theatre advertising-publicity chief, sought the cooperation of the Broadway Association, Hotel Men's Assn. and the N. Y. World's Fair. Leo Casey, exception's publicity head, already has responded by saying he will assist in every reasonable manner. Fair also has been hard hit by the distraction of war news.

ROCHESTER SET FOR 2 WEEKS AT N. Y. PAR

Eddie Rochester Anderson has been set for two weeks at the Paramount, New York, starting June 19. He'll be free from radio then, Jack Benny's air program starting a summer vacation around the same time.

On the same bill will be Red Skelton, who played the house for a run of six weeks only recently. Band will be that of the McFarland Twins, unknown outfit in Broadway stage show houses. It's never on a long stand at Blue Gardens, Astoria, N. Y.

Tony Martin's 4-Week Run in Nitty Pre-Fix

Tony Martin's return to the Yee-vettes, N. Y., June 5 is for a month, longest pre-booked getting into this rate. It's a quick return since February, opening from \$2,000 to \$2,500. Martin then steps away from the rest for a year under Metro contract, starting immediately in a new musical with Judy Garland, Eleanor Powell and Phil Silvers, latter the ex-husband comedian making his film debut.

GISH-PITTS COMEDY TEAM

Increasing Talking Film Series, a la Brender-Morse

Dorothy Gish is mulling an offer to re-unite with Sam Pitts in a series of comedy comedies for an undetermined studio. If the deal goes through she'll go to the Coast in the fall to start production. Idea is to build the two actresses to a comedy team, something along the lines of the late Marie Dressler and Polly Moran.

Mrs. Pitts went to the Coast on a picture deal last week and will continue her daily radio serial from there.

Reverend, husband, beardless and full of pluck, Hollywood's self-acknowledged No. 1 wonder boy appeared in New York Monday (27) to make his apologies to RKO conventionites for seven pictureless months. Orson Welles explained how some of his time in Hollywood since last October without even a foot of spooled negative to his credit—and promised three pictures for next year.

Same talk as Welles put it on—and Mr. Welles was put it on—was repeated with a 'ya gotta show us' air, although the boys were pretty well convinced when Orson promised to get his first picture under way in three to four weeks. Film will be "Citizen Kane." It was announced in the RKO book as "John Citizen, U.S.A.," but Ed Welles hoped that title as an "interoffice dream."

Official list schedules the Welles unit for two pictures, with the second still unbooked. Welles tilted the (Continued on page 32)

MAXWELL-MGM DEAL SEEMS ON

Maxwell House Coffee (General Foods) is reported as contemplating another program alliance with Metro for the fall. It is said that an overall price of \$21,000 a week for the show has been worked out with the studio and that the option doesn't have to be exercised until the end of June.

The java purber has yet to give NBC notice of a summer hiatus.

Hornblow Held at Par

Hollywood, May 28. Paramount landed a new contract to Arthur Hornblow, Jr., after five years on the lot as producer. His current release is "The Good Breakers."



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Banks Tightening Purse-Strings On Indies as Foreign B.O. Dips

Hollywood's trend to independent production units, which has plunged ahead with increasing momentum during recent months, is going to come to an abrupt halt next season if foreign markets remain off, according to New York financial circles. Old established producing units, as well as the new ones, will be affected, it is said. Extent will vary in direct proportion to how badly the European market hits groups.

Financing factor is, of course, lack of the threatened shoggoth. Banks are wary, at best, of indie who can put up no collateral but their pictures. Without studio or equipment to secure the loans, such payments are looked upon by the banks as dubious risks in view of the small chance of getting any foreign revenue from product.

Major studios are not faced with the problem as directly because they do little borrowing from banks and some of it is on a per-picture basis. They have sufficient funds coming in from product in release to finance new production. Those which have to go to the banks can do so on their standing alone, besides having plenty of property and other assets on which a lien can be placed in case of default.

Nevertheless, the loss of 20-30% of their markets is of prime importance to the majors. There have been few hits in 1939, however, to compensate for this. Especially financial circles are at the viewpoint that the slash will be felt in earnings of the companies. First, followed by cuts in wages and other expenses which have already started. Final result is foreseen in lower picture being made and more per picture brought down if a continuation of earnings, considerably below present levels, continues.

What puts the indie in such bad shape is the necessity of going to the bank for financing of each picture or small group of pictures. When there's faith in an individual, the moneybags will be given entirely on the prospective income from the film about to be made. Generally, however, the bank considers its best asset to be the residual income pouring in from the producer's pictures which are currently in release. Banker takes the view of this banking over and above outstanding debt as the bank for making new loans.

Cosmo's Indie Setups

Hollywood, May 28.

New film production company formed by Arthur Hays Sulzberger, producer of the stage play "Oscar Wilde," has lined up "Burns Alley" as his first screen job. Arthur Ripley is slated to direct the picture, written by Elwin Coyle. Negotiations for release are under way.

Cosmo Productions, new indie company, closed a deal to star Chae Tzeng in "The Silver Queen" for Paramount release, under direction of Allan Dwan. Shooting is scheduled to start in August.

Tom Walker May Return To Bank of America, L. A.

Tom Walker, who was succeeded as New York representative of Hal Roach by Ed Peck last week, may return to the staff of the Bank of America in Los Angeles, it is understood. Walker was assistant to A. H. Giannini at the bank for many years, resigning to move over to United Artists when Dr. Giannini assumed the top post of the company several years ago. He had been with Roach about 18 months.

Peck, former v.p. of Grand National, p.m. of Brown Theatre and g.m. of Warner Bros. Theaters, will carry the title "general representative" instead of "general representative" which the job carried heretofore and will be considerably more traveling around the country and to the Coast.

CHILLER FROM MOSS

Hollywood, May 28.

Albert Dekker and Elinor Drexler are in "The Averaging Beat," the next production from Jack Mott at Paramount.

Chiller will be directed by Stuart Heisler.

Distress?

Hollywood, May 28.

For four days Old Glory has been flying over the Paramount studios upside down, which is certainly a distress signal.

Front office check disclosed the flag adjutant to be a Japanese janitor. He begged off with "Sorry, please," and said he didn't know any different.

March's \$2,000,902

U. S. Anna. Taxes

Indicate Upping Biz.

Washington, May 28.

In comparison with past years, the amusement business through March continued to enjoy better times. Returns from the Treasury Department show the third consecutive gain over 1938 and previous seasons.

The tax-grabber last month raked in \$2,000,902. This was the second time this year that the haul has topped \$2,000,000 and the third time in 14 months. Cumulative effect of the type is that the Treasury at the end of four months is \$1,075,132 ahead of last year and more than \$1,000,000 above the total for the same portion of 1938, which was the record-breaker since the levy was instituted.

The April collections were \$614,121 over the amount forked over in the identical frame of 1938. This was the second biggest jump from one year to the next, while the present scale has been in effect. The April collections indicated, however, that the rate of improvement is slowing down, since the total was \$290,025 under March collections.

For the first four months, the Government's cut was \$1,331,120. This compares with \$1,004,878 for the January-April period of 1938 and \$1,327,647 in 1939.

Those figures, of course, embrace all amusements (sports, etc.), and no breakdown as to pictures, indies show this, is indicated.

Miriam Maxwell Ex-Hayward

Miriam Maxwell, who handles sales of film rights to literary material for the Leland Hayward agency in New York, is resigning at the end of this week.

Plans for the future still indefinite.

AFL-CIO Unions Underwriting B.O. Of 'Gompers' Pic; Adler in Title Role

American Pictures Corp., recently-organized producing unit, begins shooting next week on its initial film, "Samuel Gompers," at the Eastern Service Studios in Lakewood, L. I. Luther Adler, Ruth Gordon and Claude Rains will be starred. Picture will be the first made in the east this season and the first since Mayer Laskerfeld inaugurated his drive for New York production, although Hissner was not instrumental in the choice of location.

Film is being made in a swap with the American Federation of Labor, of which Gompers was for many years the leader. Since there has already been such an overwhelming demand from union groups for tickets to see the picture that all thought of releasing it through one of the majors or any other outside source has been abandoned, according to Julius Levine, prez of American Pictures.

Levine said his own organization will maintain it throughout the country at \$1 a head, with tickets sold principally through the AFL, whose unemployment, food and charities will benefit by the time of 10% of the gross. Idea is that the Planners Union will buy up the tickets for a three-day stretch, the IATSE for a week, the Screenwriters for another two days, and so on. CIO is also participating, as Gompers, foremost of all American labor leaders, died in 1924, long before the split between the two groups.

Response to the Gompers film has been in good, Levine said, it has

Not So Loose Now

Hollywood, May 28.

Population of Lost Pine, Cal., is temporarily doubled by two film troupes working on "Brigham Young" and "Ghost of the Clown" for 20th-Fox.

Company is feeding and housing 420.

IMPORTANT L.A.

'USE TAX' STANDS

Washington, May 28.

Film houses are subject to the Louisiana state "use tax" following U. S. supreme court refusal Monday (27) to review litigation unfavorable to the Biester circuit. Well-known southern string of houses lost the final round when the appeal from a decision of the Louisiana supreme court was dismissed on motion of the state authorities. Squabble involved trifling sum—\$12.38 paid for rentals in July, 1938—but a very important principle that has been involved by several other states is finally sought for review.

Challenging the validity of the state law, Stanger attorneys held that the money was not paid for the use of prints but for a limited license to use the copyright. Nothing tangible was involved in the transaction, upon which the 1% tax was levied and paid under protest, justice asserted. The trial court agreed, but the ruling was reversed. Stanger told the U. S. tribunal incidentally that the use of prints was incidental, the tax was unfair because it already had been paid at higher rates in California, that the impact is a burden on interstate commerce and the law violates the Federal copyright statute.

Motion to dismiss the appeal, which was granted without comment, was based on contention that "no federal question" was presented.

Bois Through Wringer

Los Angeles, May 28.

Carl Bois, listed as a producer and film actor, filed a bankruptcy petition, recording \$12,448, plus an undetermined amount in taxes, as liabilities.

Assets are \$1,218, of which \$1,200 are claimed exempt.

Big Guns Rock H'wood Rosters; M-G, 20th Drop 250 in Attack on Payroll

Muan't Get Upset

Hollywood, May 28.

News from Europe is so disconcerting to the film art that major studios are prohibiting the use of radio sets on their lots. M-G was the first to discover that its players could not concentrate on their work after listening to scandalous tidings over the receivers in their dressing rooms. 20th-Fox was the next to place the airwaves and the rest are following their lead.

Duration found that stars could not keep their minds on romantic scenes while worrying about headlines from overseas. Hereafter only the top news will be allowed to listen in.

Pa. Court Promises Speedy Decision in Goldwyn's UA Suit

Philadelphia, May 28.

The three-man U. S. Circuit Court of Appeals on Wednesday (22) promised a speedy decision in the case of Samuel Goldwyn seeking reversal of a Federal court ruling which dismissed his suit for cancellation of his United Artists distribution contract. In an eight-hour session the three justices—John Sigsbee, Jr., Albert B. Marks and William Clark—heard the high-powered counsel for UA and Goldwyn wrangle over the technicalities which caused the lower court to refuse to take jurisdiction in the case.

Former U. S. Senator George Wharton Pepper, UA attorney, contended that the Federal court was right in dismissing the proceedings on the ground that Goldwyn had failed to make the late Douglas Fairbanks and Alexander Korda defendants since they were "necessary and indispensable parties to the suit." Goldwyn based his demand that his agreement with UA be voided on the grounds that UA had committed a breach of contract for consenting to the formation of separate producing companies by Korda and Fairbanks. Max D. Silver, Goldwyn's counsel, contended that he had no case against Korda or Fairbanks and that it wasn't "feasible" to include them in the action. Silver, however, revealed that Goldwyn had instituted a new suit in New York against UA including Korda among the defendants.

In asking a speedy ruling, Silver pointed out that his client (Goldwyn) had \$18,000,000 tied up in the film business. He stated that should Goldwyn be released from his UA contract, he would or could become connected with Paramount.

Profile of Man Drawing Pay Without Working

Hollywood, May 28.

Adolphe Menjou collected his salary for the lead role in "The Great Pretend" at 20th-Fox without doing a day's work.

Originally signed to play the John Barrymore part, Menjou was displaced when Barrymore himself became available. With no other suitable picture in readiness, the studio paid off.

BREATHEN FOR L. & A.

Hollywood, May 28.

Second Lam and Abner picture by View Productions for RKO picture goes into production in August on the RKO-Pathe lot.

First of the series, just completed, is "Dreaming Out Loud."

Hollywood, May 28.

Quarreling \$200 million away is causing heavy casualties among Hollywood payrolls. Major studios are crashing down on all departmental and knocking off all unnecessary expenses to make up for the shrinkage of revenues from the war season.

At Metro the axe fell on 100 payrolls in one week, with more lay-off predicted. The enormous drop is showing as clearly that reduced employment working on a five-day week basis are taking their regular day off on May 30, without pay. Memorial Day is not only a national but a financial holiday in Culver City. Up to this time, the workers in the five-day class have been using it as their regular day off and drawing salary checks on a holiday basis.

Another Metro retrenchment move is the shuffling of plans to make "The Life of Captain Cook" in Technicolor. James A. Fitzpatrick, Travelmark producer, and a production crew were slated to take off for a month in Hawaii, but the tour was halted at the last moment pending future business developments.

At 20th-Fox it was estimated that the cut would affect about 10% of the staff in the lower brackets, but it is understood that at least three high-salaried producers will be spared from where they stand up their current assignments. Meanwhile the studio intends to maintain the customary number of picture unless conditions change for the worse.

Reorganization of publicity departments is threatened on practically all the major lots, with the axe hanging over many job-holders within the next week. First to go in the general shakedown was Arthur W. Eddy, who left Warner after three years as trade paper contact. Others are slated to move out under E. Charles Kinkaid's plan to streamline exploitation over Barker.

Mr. Winfield, Al Sellers and three associates were dropped from the Metro press agent department. Perry Lester, publicity chief at the RKO studio, is in New York building with his home office boss, E. Bayard McCormick. New changes in the Hollywood personnel. Charles E. McCordy is in town from New York for conferences with Harry Broad in the publicity lineup at 20th-Fox. The firing in the other Hollywood factories is one of general interest.

Tom Holt Vice O'Brien For RKO Mustang Fix

George O'Brien, after a long stretch on the RKO lot as star of six westerns a year, is checking out. This time, one of the vet film stars, will be introduced in a new series of six horse epics as O'Brien's replacement.

Departure of O'Brien is indicated in failure to include him in the announcement of next season's production made at RKO's sales convention in New York Monday (27). Holt will be supported by Ray Whitley and his cowboy band.

Tierney's Appendicitis Attack Holds Him in N.Y.

Departure of Harry Tierney for the Coast, scheduled for this week, has been delayed by an attack of appendicitis. Company was in New York for Hollywood and had with Tierney to adapt the work of "His Girl," which he wrote, for a film co-starring Jennifer Marlowe and Nelson Eddy.

Tierney, who also adapted the story for "Love" back in 1939 and adapted it for RKO's recent film version, was stricken with the appendicitis attack after attending a racket party at the Minto Hall, N. Y., last week. He is now in the New York Hospital, N. Y., and is expected to be out of the hospital in the following days.

Company, who also did the work for "His Girl," up the Coast, and a number of "English" pictures, is partially ready a musical version of "Dear Brumby" for Broadway production. Also has hopes of producing it to film. In addition, he is virtually completed an adaptation of "Dear Brumby," which he is holding for presentation at a "preliminary" time.

Other News Pertaining to Pictures

Book reviews: List and Positions, Alan Dinehart, Red Cross

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NEW SALES SYSTEM FOR PIX

'H'WOOD NEEDS REVAMP'—EXHIBS

Theatre Men View War's Inroads More of a Production Problem Than With Cinema—See This as an Opportunity to Reorganize General Setup

B.O. DIP NOT TOO BAD

Production was never handed a more golden opportunity than right now to get its house in order by adjusting studio operation and even to a more economically sound level. This is the opinion expressed in theatre operating circles where, in spite of grossing being off, the tendency is to feel that the war and contributing causes are much more a production than an exhibition problem.

Although it is pointed out that fixed studio charges, such as union help, are difficult to adjust, this is the first time that the production departments have every cause to try to get these costs down, along with all others.

While theatre receipts have dropped since Hitler's big push across the western front started three weeks ago, this may be temporary. On the other hand, the loss of foreign rentals sustained by the producer-distributor because of war is cause for far greater alarm.

Theatre operating opinion is that while the situation looks unpropitious now, a war boom in this country and more work, relieving unemployment, could substantially help at the theatre. However, while this would be a relief to the distributor, the latter still may have to wait a long time to get back to normal so far as rental returns from foreign markets are concerned.

3-10% Receipts Dip

The decline in theatre gross averages from five to 10% for the whole country. Some sections are more affected than others, with operators fearing that there seems to be less power in the hinterland over the war scare and developments there than in the larger cities, such as New York and other maritime cities.

A belated spring and considerable midday weather throughout the country, accompanied by more than the normal amount of rainfall, has helped keep the situation from becoming alarming thus far. Better than average quality of product is also helping gross from dropping further and operators, assuming 1940-41 product on paper, size it up as looking very promising.

Although product and less unemployment may help fortify the theatre from now on, the stagnancy of business generally in all fields gave rise to some concern. Manufacturing and retail fields have taken a bad licking this spring, while since the war the situation has become much more critical. Understood that many orders which were placed with manufacturers months ago are being cancelled and large orders, in the higher-priced as well as cheaper classes, are cutting departments as well as salaries.

Experiences of operators are that no particular grades of theatre is suffering the most. The larger houses selling higher admissions are feeling the present pinch to no greater degree than the cheaper-rated theatres. Any severe pinch by the war and conditions in this country may (Continued on page 18)

Tears in Her Song

Los Angeles, May 28. Rexie Purcell, writer, died a fiery end by \$100,000 against Metro in a lawsuit court over the picture, "Thoroughbreds Don't Cry." Plaintiff charges the picture was made from her own story, "Blazing Through."

THE SCREEN'S AMERICAN WAY

American military preparedness program as outlined by President Roosevelt in his fireside radio speech on Sunday (26) immediately challenges the film industry to step forward, united by the bond of public responsibility, and place itself at the top of the list of volunteer effort in an emergency demanding instant action.

Because one of the most earnest passages in the President's speech dealt with the national essentials of faith and belief in the American ideals of liberty. He said:

"Today's threat to our national security is not a matter of military weapons alone. We know of new methods of attack. The Trojan Horse. The Fifth Column that betrays a nation unprepared for treachery, saboteurs and traitors are the actors in this new strategy. With all these we must deal vigorously."

In another place he spoke of 'a new technique' for weakening a nation, the spreading of discord and dissension, by exploiting sectional, racial or political prejudices, through false slogans and emotional appeals. By such tactics, he said, 'foreign agents' cause sound national policies to be regarded with unreasoning skepticism. He added:

"As a result of these new techniques, armament programs may be dangerously delayed. Singleness of national purpose may be undermined. Men can lose confidence in each other and, therefore, in the efficiency of their own united action. Faith and courage yield to doubt and fear. The unity of the state is so sapped that its strength is destroyed."

Brightest and most commendable record in the history of the American film industry are the accomplishments in public service which have been performed willingly and enthusiastically by showmen in every national crisis. And the belief is growing daily throughout the country that another period of national emergency faces the country—an enemy lurking within the national consciousness, a subtle destroyer of belief in American institutions and principles.

"All this is no idle dream," the President states. "It has happened time after time, in nation after nation, during the last two years."

Fortunately, American men and women are not easy dupes. Campaigns of group hatred or class struggle have never made much headway among us, and are not making much headway now. But new forces are being unleashed, deliberately planned propagandas to divide and weaken us in the face of danger as other nations have been weakened before. These dividing forces are unfilled poison. They must not be allowed to spread in the New World as they have in the Old. Our moral and mental defenses must be raised as never before against those who would cast a smoke-screen over our vision.

That the film industry, or at least its major companies, faces the ordeal of a Government anti-trust action, that restrictive and annoying legislation is pending in Congress and legislatures, that much discord on matters of trade policies is rampant within the industry, should not dampen the inherent patriotic spirit of the picture business, and the men and women who work in it, to rise to its current opportunity for public service.

It is unnecessary to chart the course of action in detail. Showmen are executives of imagination and energy, capable and able to translate into practical terms the counter-attack against those who would inspire fear instead of courage, discord in place of harmony, doubt as a substitute for faith, and internal strife instead of accord.

The screens of the nation cry for the right messages. Audiences which daily number into the millions await truth and high-minded leadership.

There never before in the short span of films as an art medium of expression existed an opportunity so generous in its possibilities for public service as the current crisis has opened up.

The President has crystallized the problem.

The film industry will not shrink from its chance to aid immeasurably in the strengthening of national morale.

Duals On Way Out, Freeman Tells Par Conv.

Los Angeles, May 28.

Early death of dual feature programs, due to a natural product shortage brought about by war conditions, was voiced at Paramount's annual sales convention, which wound up a three-day session at the Ambassador hotel Sunday (26). Curtailed output of the majors, Freeman stated, will put an immediate end to the continued showing of two major features on a single program.

Greater effort must be exerted by production, distribution and exhibition to meet changing times, studio production chief stated. All studios will make fewer pictures during the coming year, he said, but there will be just as many good pictures. "They simply will not be available to exhibitors for double-billing," he concluded.

46-50 Pix by Paramount

Budgeted at \$25,000,000

With Barney Balaban announcing that Paramount will abandon "B" production starting May 21, company is scheduling a program of 46 feature minimum and 50 maximum for 1940-41 and will budget \$25,000,000 in total. This is the same amount as paid for the current (1939-40) schedule of 52 features.

In reducing the program, Par will spend approximately \$100,000 more (Continued on page 20)

Double Entendre!

With the advantages of speaking French for travel abroad no longer a valid advertising point, Berlitz School of Language in New York has hit on a new sales idea.

It advertises, "Enjoy the unforgettable thrill of 'Closely,' 'Shaver' and other French films. Join a Berlitz French class!"

LEO McCAREY DICKERS ROACH AND UA DEALS

Leo McCarey is in the unusual position of negotiating possible producer deals with both United Artists and one of its indie film-makers. He's confabbing not only for a distribution arrangement with UA directly, but also to produce under the banner of Hal Rosson, whose pictures are released by UA.

Roach deal appears to be most likely. Pair have been in deep huddles for some time. Idea, it is presumed, would be somewhat similar to the arrangement by which John Ford's "The Long Voyage Home" will be released by UA via Walter Wanger, who is participating in the financing.

Bing's Divot Swingers

Hollywood, May 28.

"Swing With Bing" 12-minute musical short, starring Bing Crosby and a flock of professional golfers, goes into release through Universal, with Crosby getting a jump sum and percentage.

Picture was produced by Herbert Pollock during the annual golf tournament on the Crosby ranch in San Diego County.

Mayer, Goldwyn, Blumberg Back To West Coast

Louis B. Mayer was in and out of New York last, on a two-day visit, to testify in a Government tax case. He arrived Wednesday night and left Friday (26).

Sam Goldwyn returns later this week after a month east. He's due back in June to testify in the U. S. anti-trust case. Goldwyn stayed over to see Louisa Purchase again, wherein his contract, Ewing, is featured, and on which Irving Berlin musical he has a screen option.

Another film exec returning today (Wed.) is Nala Blumberg, exec of Universal, with Matty Fox, studio aide. A new house in Van Nuys has been completed and furnished by Mrs. Blumberg during the U. S. absence east on sales convention and home-office parties. Fox returns to N. Y. to summer in the east, while Blumberg is west.

Another producer returning to Hollywood this week is Sol Lesser. With his wife he departs Friday.

Woodruff's 2d at RKO

Hollywood, May 28.

Frank Woodruff gets the screen assignment on RKO's "Delamare Int." his second film since leaving radio.

Kay Francis and James Ellison play the lead roles.

WAR MAY FORCE OVERNIGHT SHIFT

Group-Merchandising of Limited Blocks Is One Potentiality—Thus Not Too Far in Advance of European Developments

BUDGETS READJUSTED

The war already placing the American distributor in a highly dubious position, may force an overnight change in selling. It is feared in various distributor circles. With it, moreover, add, could come the sudden end of double-billing in this country.

It may be that every producer-distributor would shift from selling an entire year's output and turn to group merchandising, taking contracts on a specified block of pictures at a time; thus not being too far in advance of conditions, developments, the war itself, etc. In such an event so doubt the studios would undertake such groups as they go along without planning too far into the future. This would enable a closer guide as to what steps to undertake or in what way production as well as selling might have to be changed. Meantime, all companies are taking contracts covering programs as announced, regardless of what could come later.

Distributors do not know at this critical stage of the game in just what way the course pursued in marketing film might be changed, but as a beginning would come a quick reduction in the number of pictures to be made during the coming year, it is believed. With such steps suddenly taken, theatres would be automatically forced out of dual-billing because of inability to get sufficient product to continue pairing 'em up.

Because of the highly speculative nature of the present war and the immediate future of the picture business, distributor representatives are not desirous of being quoted as to the theories concerning any changes in selling for 1940-41 while in mid-stream.

Other Possibilities

Because of the war, the greatly upset world market and the uncertainties at home, certain pictures might have to be postponed, budgets adjusted, personnel problems met, etc. Question of whether cheaper pictures would accompany a sudden switch in sales policies or whether an overnight reduction in programs would result in more money for fewer pictures, is something that would have to be decided as the various companies take means to meet the situation as arising. There is some belief that, in view of the critical conditions at hand, distributors would spend no less on product, maybe more, but importantly reduce the number furnished the market so that much additional playing time would be provided.

Knocking out double bills would also increase the revenue, and, if there should be a substantial cutting of the number of films to be made during the coming year, hundreds of dual houses would have no other alternative but to go back to single bills. Two-billers, now playing three changes weekly, require over 300 features yearly. Everyone of these cannot buy all the product, with result even under the present system many in competitive spots have difficulty filling out.

It's Dr. Partridge Now

Billy Ray Partridge, working on the Paramount lot on the screenplay of his last picture, "Country Lawyer," has just over the weekend to receive the honorary degree of Doctor of Letters in Mount College, Geneva, N. Y.

Writer played by Sunday (26), worked up the check of honor money and flew back to the Coast that night.

Goldwyn's Solo 'Western' Deals, Plus Satevepost Article, Further Point Up His Anti-Blockbooking Views

By ABEL GREEN

Most concrete indication of Sam Goldwyn's ultimate plans with the United Artists management is the deal whereby his "Western" film (Gary Cooper) will be sold, for September release, separate and apart from the rest of the UA program. Goldwyn's legal beef against UA over too many producers and productions gets back to the belief that this millstone against the best merchandising of his own and other quality pictures.

Separate selling of "The Westerner" is in line with Goldwyn's campaign of recent weeks against blockbooking, which, he states, not only hurts producers and perpetuates one of the worst trade evils, but has been the direct cause of another pet Goldwynian—his campaign to eliminate dual bills.

On the theory one inspires the other, Goldwyn has been very outspoken against both. As a Partisan shot, before returning to Hollywood this week, Goldwyn is taking his campaign out of the trade and directly to the public, via a special story in anti-dualism which Joe Bryan III, associate Saturday Evening Post editor, is turning out for immediate publication. Similar article is also being prepared by the New York Times Sunday magazine section.

The other means to publicly prove his point is the Dr. George Gellagly puff on dualism which, Goldwyn hopes, will indicate that the public is tired of sitting through one poor picture in order to see a possibly good "A" at the end of the evening, only to find it brings them home around midnight, and is such a time strain that better has been one of the most direct contributions to the falling off of film business.

Hollywood's Fault

Goldwyn is propagating in all and sundry responsible circles within the industry that the solution lies not with the exhibitors, but right at the faultline in Hollywood. Let the producer stop grinding out celluloid by the mile, on the theory one picture every week, 52 weeks a year, must be shipped to New York to feed parking screens. Let them stop worrying that, if they don't make the \$4, it will open up markets in independent and foreign producers.

Goldwyn cites a legit hit like "Life With Father" at the Empire, N. Y. He says two had legit, if not hits, the Empire, on Broadway, couldn't draw them, whereas "Life" has an advance sale for ahead. Why not the same thing for film? Extended runs, longer engagements.

Never mind juggling admission prices. That's suicidal, he thinks. Once in a while maybe a "Gone With the Wind" might cause such extraordinary merchandising, restricting engagements for a year at an upper scale of 75c to \$1.15. But the idea that United Artists' own "Believe," for example, gets 40c to one engagement, and then along comes another picture and the exhibitor must drop back to his usual 35c or 30c, top, is foolish for both the theatre and the industry.

Olson E. C. Mack Hail

But quality pin are something else again. Goldwyn states W. O. Van Schuman at Radio City Music Hall once figured on around 40 pictures a year. In recent seasons he has found 25 to 30 pictures all that's necessary, or average fortnight's engagement per quality film. Van Schuman now thinks that if quality is stepped up there's no reason why 18 or 20 films shouldn't be enough every year, meeting an average of nearly three weeks per film.

Goldwyn says he doesn't know how his "The Westerner" may go, but he's certainly not going to have it sold on film, nor does he think it's fair for any UA producer to permit his quality product to carry some weak sisters. Each UA producer must and should be concerned that his own individual film is sold individually.

Goldwyn continues, "Everything in this life has changed, excepting the picture business. The world's changing; nationalistic ideologies are changing; Coast labor has changed. Even the film studios with their guilds and unions have brought that home. But nothing is like studio."

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A Private Dualer

Samuel Goldwyn, who has recently become the leading producer exponent of single billings, attempts to see every picture turned out in Hollywood and for the purpose has a projection room in his home.

Each night after dinner he shows two features.

KOHLER OF KOHLER'S MEMORIAL THEATRE

Milwaukee, May 28

Former Governor Walter J. Kohler, who died April 22, specified in his will, just filed for probate, that \$250,000 of his multi-million-dollar estate be used for the erection of a theatre in the village of Kohler, Wis., as a memorial to his father and his brothers. Plans for the structure will be made as soon as possible.

The Kohler fortune was made in the manufacture of plumbing fixtures.

Dickinson-Russell House

Columbus, May 28

Construction scheduled to start June 1 on new east side home, owned by Hal Dickinson and operated by Pat Bennett, formerly of the Columbia and Pythian theatres. House to have 1,000 sq. ft. on one floor, opening out into driveway for Thanksgiving.

The theatre is to be first in Ohio with television provisions, both and stage setup being such that quick changeover can be made, if and when.

Indian's 1st Drive-In

Indianapolis, May 28

The first drive-in theatre in the state will open early in June with Sherry Phillips to manage the house located more than six miles north of the downtown area. The building is nearing completion, with ramps for car parking, and a speaker for each seat. Theatre is located on highway 87 which is arterial road to Indianapolis from southwest.

Office Workers' Union Starts Pix H. O. Drive

Warning home office employees that "talk is the film industry about drastic salary cuts and layoffs has enough foundation to cause great concern," the American Federation of Office Employees, Local 20,440, on Monday (27) began a drive for membership. Starting with Warner Bros. that day, the campaign will be carried to the employees of all major film companies in New York. Office Employees union, signed up with only one company, Universal, in distributing a mimeographed appeal with an application blank for membership attached.

The handbook states that the union is at present negotiating contracts with Warners covering the office employees of the company's New York warehouse and the Albany exchange. These negotiations were begun during the past week after the union had been verified in Washington as the bargaining agent to represent such workers.

On June 1 the Office Employees will open negotiations covering the Albany exchanges of Universal, Columbia, Republic, RKO and 20th-Fox.

One a Month for Rogers

Hollywood, May 28

Joe Kane puts the sports in "Rogers and the Lady" at Republic June 1 to the first of four Ray Rogers westerns slated for completion in four months.

Producer-director is hustling his schedule to make up for the time lost through the illness of Claire Trevor during the filming of "Dark Command" at the same studio. Three other pictures in the upgrated quartet are "Colorado," "Wild Bill Hickok" and "Border Legion."

U's Recapitalization Plans Stalled By War

Actual recapitalization of Universal's contemplated recapitalization plan may be stalled temporarily by the European war, but directly affected, but growth intentions warfare has hit the market so hard that any rearranging of stock or new issues would be difficult at this time. Nevertheless, several contemplated plans have been drawn up for consideration. First time that U directors will have an opportunity to put on suggested recap proposals will be June 8, but there is no indication that any action will be taken at that time.

Present talks on recapitalization include merging of the two corporate entities, with Universal Corp., present holding company and Universal Pictures, Inc., the operating corporation, combined into a single company. By doing this, a realignment of present stock shares will be necessary, because some presently represent the holding corporation and others, the operating corporation.

\$2,025,214 Claims On RKO; Propose \$600,000 Ceiling

A protracted hearing was held yesterday (28) in N. Y. federal court before Judge William Bondy on 28 applications for fees and allowances totaling \$2,025,214 in the RKO reorganization. Applicants spent the greater part of the day spending of their achievements and wailing how over the benefits the estate received from their efforts.

At the conclusion of the self-praising spree, Marland Gale of the Security Exchange Commission, which had intervened in the proceedings in August, 1938, presented that organization's views to the Court as the value of the services, and told the Court that \$600,000 was the maximum the estate could bear.

To date, since the equity receivership early in January of 1933, \$600,000 has been paid out in allowances. The requests for fees are as follows: Irving Trust, receiver in equity and RKO trustee, seeks \$150,000 as a final allowance, having received \$200,000 to date. William J. Donovan, attorney for Irving Trust, seeks separate allowances, \$150,000 as attorney for Irving Trust and \$80,000 for his services in connection with the anti-trust suit against RKO and the other major film companies by the Government. Donovan has received \$114,000 for his services since 1932.

The largest allowance sought is that of the Atlas Corp., purveyor of the plan of reorganization. Atlas seeks \$575,000 in disbursements, including \$200,000 to its attorneys, Simpson, Thayer & Bartlett, and \$375,000 shares of common, with a value of approximately \$2 a share, for its compensation.

Lehman Bros. seeks \$75,772 in expenses, representing money paid to Len Spivey, former RKO president, for his suit; the U. S. National Bank of Denver seeks \$1,300; Chemical Bank & Trust Co., as trustee under the secured note indenture, asks \$29,002.

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WURTZEL'S JUNE LOG AT 20TH; EDELMAN JOINS

Hollywood, May 28

Hal H. Wurtzel steps into his June production program at 20th-Fox with four features on the calendar, beginning with "Red Cross Nurse" and "Charlie Pilot," due to start June 16. Others are "Branch of Discipline" and "Uncommon" rolling June 24.

Leslie Edelman, who recently signed up his contract at Warners, was signed as an associate producer by 20th-Fox. First assignment on the new job is "School for Soldiers."

SHOWING HIS BETTER SIDE

Hollywood, May 28

Humphrey Bogart turned straight in his next picture at Warners, starting as a meanie and winding up as a desirable citizen.

Film is "Thieves Fall Out," presently being screenplayed by Robert Kane.

Andy Smith Sales Manager of RKO; 26 of 53 Pix for 1940-41 to Sell on %

Headache in Pix, Too

Hollywood, May 28

"Money and the Women" finally went into work yesterday (28) after many eating adventures, with Brenda Marshall and Jeffrey Lynn in the top spots.

Warners originally cast George Brent and Patricia Lane for the lead roles, but when Brent was withdrawn, Miss Lane pulled out rather than play opposite Dennis Morgan. She is still under suspension. The casting difficulties delayed the start of the picture four weeks.

SCOLLARD'S O. O. OVER PAR-PUB AD BUDGETS

C. J. (Pat) Scollard, who joined Paramount about six months ago in an executive capacity, will attach to the publicity-advertising department in charge of cost control, budgeting, etc., it is reported. At present on the Coast, where he attended the Paramount sales convention which ended Sunday (28), he is due back east by the end of the week.

Formerly with Putze and FBO, Scollard came into Par in connection with supervision of data on theatres concerning the U. S. anti-trust suit, later branching out for Barney Balaban to make a complete survey of each department with a view to determining measures of economy that might be taken.

A few persons were let out here and there, but none was dropped in the publicity-advertising department headed by Bob Gilman. Expectation is that Scollard's supervision of budgeting, costs, etc., over publicity-advertising will become official on his return from the Coast.

'Boys Town' Sequel For Tracy at Metro

Hollywood, May 28

"Boys Town" of Metro Tracy's acting schedule at Metro. Picture is in the final stages of preparation under production guidance of John W. Considine, Jr.

Currently Tracy is working in "Thorn Town" and has two other plays on his list, "Sea of Glass" and "The Yearling."

More Film Execs Called To Testify in U.S. Suit

The Department of Justice continued to subpoena major company executives during the week to appear and testify on the formation and development of the industry during the second week of the trial which starts June 1. The Government has served Joseph Bernhardt, Y. Frank Freeman, Sam Katz, Al Lichtman, Charles C. Mackay, E. M. Saunders, Nicholas M. Schenck, Albert J. J. and Harry Warner, Cliff Work and Ted Lever.

The U. S. also called in two FBI men, J. M. McGrath and H. B. Robinson, to testify at the trial. Seymour Simon, attorney, has been appointed to the Government staff, and is working with Robert Wright on the Nathan & Katz master report in Chicago. James Hays, special assistant to the attorney-general, and that of Paul Williams' prosecution staff, arrived in New York Wednesday (27).

Studio Contracts

Hollywood, May 28

Columbia lifted Stanley Brown's action option.

Ella Baerelman asked a player contract at Warners.

Estimate Carnahan drew a player ticket at Warners.

Columbia bought W. L. River's writer option.

Mingamon signed Kaye Lutz for four Chinese whodunits.

RKO handed actor part to Alberto Vito.

Hal Roach picked up Louise Platt's option.

Anchor Whitmore asked a writer ticket at Metro.

Universal signed Jack Elsworth for another year as art director.

Setting his sales goal for 1946 at double what the company did last year (1945), RKO is strengthening its distribution personnel and, in giving out to merchandisers the best product, will seek a large number of percentage contracts at higher terms and under commitments calling for added playing time.

During the past year being busy shifting in the sales force and adding a number of salesmen, including the company in various parts of the country, RKO starts off the new year by promoting A. W. (Andy) Smith, Jr. to the post of sales manager over all of the domestic and Canada.

He will serve directly under Ned E. DeLoach, who holds the title of v.p. in charge of distribution and is a member of the RKO board of directors. Smith served with RKO about six months ago in command of the eastern-Canadian division. At that time Jules Levy, then in charge of countrywide sales for DeLoach, resigned. Post has been vacant since then.

In line with moving Smith up, Bob Minkie swings into the same office to take charge of the eastern division. He has been district manager of the southeast, headquarters at Atlanta and came into the company from similar posts with UA and Warner Bros. shortly after Smith joined up.

Another promotion is that of Charlie Bowdler, branch manager for several years at Buffalo. He will head an entirely new central district, probably headquarters at Cleveland, and succeeds E. L. McEwen, who has resigned. McEwen had been with RKO since it merged with Putze and shifted from the N.Y. to Cleveland less than a year ago. Elmer Lutz, Buffalo salesman, assumes charge of that branch.

One Theater in N.Y.

At RKO's three-day convention, ending tonight (Wed.), it was also officially learned that Gus Schaefer, for years in the foreign field, and lately in charge of the Caribbean division, would be brought into the N.Y. distribution capacity as yet not worked out.

Out of the 53 features promised for 1946-47, a total of 30 will be sold on percentage, with the sales policy to be flexible to the extent that the top possibilities on terms will be sought. This includes the 28 features that will be sold flat. One film, "Thorn Town," is to be sold separately at terms to be set later.

Of the 28, or 85% of the program, that will not be sold except under percentage, the breakdown is into four brackets. Ten will demand from 10 to 15%. In the next highest bracket, at 20%, there will be eight features, while in the third allocation there will be eight at 25%. Company will offer a total of 20 at 25%.

No definite advertising budget has been set up for the '46-47 production but Barrett McCormick states and figure to the convention, but it most ultimately represent an increase in percentage of as much as 20%.

Hal Hays reported to the convention that "Punchline" will gross over \$1,000,000 in this country. A Wall Disney feature for '46-47, he thinks for RKO, is expected but as yet not designated.

DeLoach's Review

In speaking to the assembled sales force at a closed session yesterday (28), DeLoach outlined a disarming note in the face of conditions menacing the industry and emphasized the necessity for getting additional revenue out of the domestic market. Reporting on the results obtained this season (1935-42), RKO distribution head stated that there has been an increase in sales, billings and shipments as compared with the prior year. He did not reveal figures concerning the number of accounts on the RKO books for '46-47, though it is understood there was a substantial increase over 1935-36.

On an increase in contracts, the Los Angeles branch led the rest of the country, while the northeastern district was best among the various districts. Western division at a whole, under Cremon Smith, was the other hand higher in the total on contracts than the whole and DeLoach revealed. Billings were 40% of the most in the Midwest and Canada while the northeast and Canada led in shipments.

Outlining the shorts program for '46-47, Harry Michelson, head of length on the means of double

(Continued on page 21)

GUILDS FIGHT STUDIO CUTS

Report More Philly Indie Suits Against Warners May Be Settled

Philadelphia, May 28.—Rumors are flying thick and fast about the new anti-trust suits filed by Philly indie exhibitors against Stanley-Warner circuit and the major districts in the past year.

These reports followed on the heels of the unexpected firing out of the widely publicized Landis case two weeks ago in which the Vieland (N. J.) indie received a highly publicized deal just before the suit was set to open before Judge William H. Kirkpatrick for final argument.

Officials and attorneys for Stanley-Warner deny that the chain will make any out-of-court deals with any of the other exhibitors, but it was significant that the \$250,000 suit of the Admiral Theatre scheduled to open today (Tues.) before Judge Kirkpatrick was postponed indefinitely.

With the Landis case getting the green of the major product, indie exhibitors are expected to be freed out of the Vieland market entirely. Up till now they had been getting excellent playing time at the Landis, which was forced to use much indie product to bolster deal bills because it played features much later than the S-W competition.

Other indie exhibitors were disappointed at the settlement because they believed that the Landis interests were going to have a legal showdown on the indie-circuit question. The case was well on its way toward a final legal ruling when it was settled. Judge Kirkpatrick had already made a preliminary ruling favorable to the indie's case which was later reversed by the U. S. Circuit Court of Appeals. Judge Kirkpatrick had also ordered the bonds and contracts on the S-W chain and the districts entered into the record.

LOACH AND OTHER MONO EXECS' COAST SURVEY

T. P. Loach, recently elected treasurer of Monogram, and other company officials have gone to the Coast to survey studio conditions and whip production into line with present world market conditions.

Previous to Loach's installation as treasurer, it was understood that he would go over the studio setup and make recommendations for better efficiency on the producing end at Monogram. Loach went from Pathe Film, where he was treasurer, to Monogram. Shift was made, according to Wall Street, because Pathe wanted to protect its stake in the picture company.

Monogram's Script Peak
Hollywood, May 28.—Screen writers are busy on future projects at Monogram, the greatest studio in the history of the lot. Scripts at work are Joseph Wex, Michael J. Cagney, Dorothy Boyd, John Kraft, Bernice Gilder, Robert Emmett and Jack Hatfield.

Levey's Tradeshow Tour With 'Sy' case

Arriving east during the past week on a brief visit concerning plans with respect to his initial film production, 'Boys From Syracuse,' Jules Levey will return to New York in early June with a completed print of the picture and plans making a tour of the country with it. Levey, who is widely acquainted with circuit buyers and exhibitors, states he will take the film around for trade showings which he will arrange. He left for the Coast Monday night (27) by plane.

'Syracuse' is now in the editing phase. Its negative cost ran a little over \$100,000, exceeding \$100,000, due to the cost of the original print to have the film shown in the picture. Martha Raye, Joe Penney and Allan Jones head the cast.

As It Wasn't

Hollywood, May 28.—'Doctors Don't Tell' doesn't begin to tell the story of the Republic picture bought as a magazine serial about a year ago and subjected to various surgical operations by studio scripps.

When the parts came out of the clinic the victims of the dust bowl and the European refugees had taken in many literary transformations that the doctors couldn't tell which story was which. So Herbert Yates, Republic chairman, is offering \$25 for a new title.

Beaz Bros. Let Option on Minn. In Mpls. Lapso

Minneapolis, May 28.—The \$2,000,000 4,000-seat Minnesota theatre, which has been dark much of the time during the past three years, is left without a prospective tenant as result of the action of the Beaz Bros., realtors and liquor dealers, in permitting their option to expire. The Beazs recently operated the house unsuccessfully for the owners with vaudeville and had announced they'd exercise their option if they could obtain major stream product, practically all of which now is owned up in the local loop by the Paramount-Ginger pool.

A deal now pending whereby Minnesota Amos. (Paramount) would take over the Beazs' downtown 1,000-seat Palace on a long-term lease and pay off obligations still remaining from the recent Minnesota theatre operation, if the Beazs would step out of the theatre field here and would not go through with a threatened anti-trust suit against the Minnesota (Paramount) and major arena distributors. Beazs allege conspiracy to prevent them from obtaining films for the Minnesota and Palace theatres.

Both sides admit that 'discussions' are taking place, but they assert no agreement has been reached yet. Even though the Minnesota theatre option hasn't been exercised, court action still is possible, George Beaz pointed out.

Owners of the Minnesota now will seek another tenant, but experience of those who have operated it during the past few years makes it appear more likely that its ultimate fate will be demolition for a parking lot in order to save taxes, or remodeling for purposes other than theatrical. Minnesota Amusement abandoned the theatre after suffering heavy losses on its operation.

Mae Murray Rushes East, Her Son, Koran, Stricken

Albany, May 28.—Learning that her son, Koran David Murray, was in undergo an appendectomy in Albany Hospital, Mae Murray, one-time screen star, left Hollywood Friday night (24) for the East. The actress, however, could not reach Albany in time for the operation. The 38-year-old boy, who resides at the home of Miss Beulah Cummings in Ayrick Park, was operated on Friday. His condition was described as 'very good' at the hospital.

Miss Murray recently won a California court order requiring her former husband, Prince David Murray, to pay \$400 a month for Koran's support, but she still awaits approval of the N. Y. supreme court of her application for custody of the boy. Koran is a pupil in Ayrick Park Central School and Supreme Court Justice Francis B. Sweeney of Albany has ruled that further hearing of the application must await the time of school.

CLAIM SLASHES NOT JUSTIFIED

Cite Loss of Only 17% in
Foreign Revenue As No
Cause for Personnel Dis-
missals — Film Eds. Stall
Demands

40,000 AFFECTED

Hollywood, May 28.—A new fight between the Producers and their 40,000 employees loomed today, as many studios started retrenching and the various guilds and unions mobilized to resist any attempt to cut wages or slash personnel. The Screen Office Employees Guild took the initiative, but called for a united front of all studio crafts to 'at least maintain present wage levels.'

In a bulletin to its 1,700 studio members, the BOEG charges the major film companies are using the European War as an excuse to reduce salaries and personnel. The BOEG claims there is no valid excuse for drastic retrenchment at this time, insisting that if all picture business with indifferent nations is lost there would be a decrease in sales of 'only 17%.'

The BOEG is preparing to ask for concerted action by the Hollywood Guild Council, whose membership includes the BOEG, Screen Writers Guild, Screen Set Designers, Screen Publicists Guild, Script Clerks Guild and Screen Readers Guild. The Society of Motion Picture Film Editors, Society of Motion Picture Art Directors and Moving Picture Painters Local 644 also have been invited to affiliate.

The BOEG bulletin states in part: 'Are the Producers' claims? Wage cuts, layoffs, not justified. If they can get away with it, the Producers intend to take advantage of the war once from Europe to cut wages and slash personnel in the industry. There will be a squawk—and a loud one. The guilds and unions of Hollywood will let it be known—and quite firmly—that they mean to maintain their present rates, at the very least. There is no justification for wage cuts at the present time. Rather, in fact, the reverse.'

Charge Wage Artifice
'We have seen it before. If a direct pay cut won't go down, it has to be done indirectly. Many are fired and then others, or even the same people, are rehired—at lower pay. The individual studio guilds are helpless in the face of such an assault. Only strong independent guilds and unions can protect the wage rates and seniority rights of their members.'

There's another angle to it. England and France may curtail or completely halt their own production for the time being, but their people still want pictures. The experience of the last war showed that movie profits boom in war times. The first World War established Hollywood's picture business solidly as a world-wide business for the first time. The war was probably well over.

'Another thing. Britain, France and Germany have expanded their own production in South and Central America in the past. With this competition cut down or out, American producers will not be slow to leap in and pick up the chips. The Producers are in the black and have been for years.'

The Society of Motion Picture Film Editors, which recently secured a 10% wage hike, however, has decided not to press additional demands at this time. A statement said the Editors feel that all departments should cooperate in the full-scale effort.

Central Casting Corp. has placed a ban on such cuts, and in the future extra will be booked in advance in the same manner that stars and featured players are set. The following announcement has been issued by (Continued on page 18)

Growth of Gypsy Pix Shows to Hypo Local Merchants (Free Come-On) Gets Increasing Beefs from Exhibs

Hardly

Mike Bender is apparently in no danger of being tried by Hollywood.

He's appearing in both ends of a double bill currently making the rounds of the BEO and Leno's circuits in New York. 'Prisoner 583' (BEO) and 'House of Seven Gables' (L). In the first he's the drunken out-law, in the second the prim and proper doctor. Audiences are raving at it all, resulting in the perennial sometimes breaking forth into uniformed officers.

Browne Repudiates Pegler's 'Attack On IA as 'Racket Union'

Los Angeles, May 28.—Charges by Westbrook Pegler, Scripps-Harvard columnist, that the International Alliance of Theatrical Stage Employees was a 'racket union' dominated by an undemocratic leadership were vehemently denied by the union's president, George E. Browne, here last night. An invitation to the newsmen to the union's convention, beginning June 1, for the purpose of seeing how the organization operates, was extended by Browne.

Contemplated action against Willie Bluff, Coast rep of the union, wasn't being considered by the staff, said Browne. Bluff was recently returned to Chicago to serve out a six-month term on a pending conviction.

'Bluff's service to the union' was all that concerned Browne, he said.

PAR MAY TAKE OVER STEFFES' 2 IN MPLS.

Deal is pending for Minnesota Amos. Co. (Paramount) to take over operations of W. A. Steffes' highly successful sure-weather World and possibly the 1,000-seat Alvin also. Because of illness Steffes must give up activities.

World plays foreign, lightshow and unusual films mostly and caters principally to carriage trade. Alvin has been dark much of time, but occasionally houses legit roadshow, musicals and burlesque.

Daylight Saving Again Stalled in Louisville

Louisville, May 28.—Agitation for a change in Daylight Time tied up the question for another year, when Board of Aldermen Saturday (25) by a 5 to 2 vote, successfully defeated the proposal which had the backing of 4½ to 1 among employees of downtown department stores and industrial concerns. Opposing the measure were the Louisville & Nashville Railroad and the Louisville Baseball club.

Ball club, in opposing the change, said through Bruce Duffey, executive manager, that it would interfere with night baseball, and especially double-headers in which the club is committed. Don Hill, WAVE baseball announcer, said the change 'without warning' would cause the dropping of signs of the game. C. E. Schneider, WORO program director, said his station stood ready to give full broadcast of the game whenever they start, and urged the time change as being advantageous to radio listeners, the station, and program sponsors.

Free picture shows, partly or totally sponsored by small-town merchants, being staged by itinerant exhibitors in the middle-west and southeastern sections of country, are producing wholesale squawks from regular exhibitors in adjacent communities. Practice has been widespread during recent months in the territory covered by the Southeastern Theatre Owners Assn., including Alabama, Georgia, Florida and Tennessee. Recently it has spread to midwest states of Michigan, Indiana and Ohio, since good weather has opened up.

The merchants' gratis showings have become such a thorn in the side of exhibitors that formal protest has been made to industry heads by the Southeastern Theatre Owners. It was cited that the free shows with merchants tied in on the exhibition often played to 1,000 to 2,000 people in communities so small that they could not regularly support a theatre. Also they were used in larger spots, customers being given where itinerant exhibitors vent local audiences. Shows took the enterprise because tied up with their bargain days as an inducement to get people to town.

The traveling picture show gag has been around for a number of years but obtaining the support of town stores and dealers to insure a regular chain of play-stations is a new wrinkle—and one that is producing the protests.

Build a Route
Franchise of the gypsy exhibitor is to go in for spots where there is no regularly established film house; approach store owners for backing; arrange for showings on a certain date; and then move on to another town where the process is repeated. In this way the itinerant showmen build a rotating circuit, with about three or four communities playdated per week.

Then if he is able to obtain 12 towns within a radius of 100 to 200 miles, this exhibitor would have four steady weeks of touring. By that time, the first town is ripe for a repeat engagement or he can move on to another section of the state. In most instances, the exhibitor plays a town on alternate nights, extra day being needed to jump to the next stop.

Merchants balky the screen show as free because for the small charge, estimated to be \$20 to \$30 per town, they figure to reap results in business at their stores. In numerous towns reported, however, 5-10c is charged for seats, 'free' gag being for standing room.

Kind of the regularly established theatre operators is heavily larger town in that these free shows keep many patrons from traveling the usual 15-25 miles to attend their shows at standard headline prices. In some communities, too, it has reached the point where property owners and store operators are feeling the competition from the free show gag.

Exhibitors operating every day of the year would not object if this gratis exhibition was only an occasional thing. But the number of traveling outfits, the fact that they blanket a given area drawing from the regular theatre's established patronage and also constitute a steady competition via repeat showings work definite hardships on the established exhibitor.

The wandering exhibitor as far has been found within his rights because in most cases renting a legitimate film at demanded rentals. Suggested means of handling the situation is that distributors work out some sort of clearance and looped rentals in order to protect regular clientele. However, this obviously will be a difficult task as now viewed.

Naturally the steadily operated theatres rail the cry of unfair competition but there is little that can be done about it. Answer of the traveling exhibitor is that it's as fair to get merchants to give free shows, as (Continued on page 22)

Torrid-Awards Short Forte

\$18,000 in L.A.; Marxes-Biscuit

N.G. \$15,000, 'Gone's' 22d \$8,400

Los Angeles, May 28.
(Best Exploitation Story)

Lillian Russell is enjoying the town currently and Marx and Chico will pile up a combined gross of at least \$17,000, best bids for the day-date Fox-West Coast score in some time. Ann Sheridan-Cagney's "Torrid Zone" is being shown at the Downtown and Hollywood, accompanied by the Academy Awards four-reel and doing well. Marx Bros. at Paramount with "The Devil's Sister" aren't getting more than disappointing \$13,000.

George Watters, handling Fox West Coast first-run exploitation and publicity, again extended himself and came through with a comprehensive building for "Lillian Russell." In addition to customary lines of ballyhoo, Watters tied up a Lillian Russell dance routine with Grand Prix Casino ballroom, with promoted prizes including a radio and makeup kit. Truly black-out, veterans light actress, who is a job story in the Chicago News revealed the "good old days," made excellent copy.

Estimates for This Week

Carthage Circle (F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) End of run announced for June 1 has been postponed for at least a month, with Warner's "All This and Heaven Too," headed to open (4), shifted tentatively to the WB Div., where it will be read-through. "Gone" an current week headed for \$15,000 after almost hitting \$14,000 on last stanza.

Chinese (Grauman-F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) "Lillian Russell" (2nd) and "Chen Panama" (2nd). New profit is slight at around \$11,000. Last week, "Waterloo Bridge" (M-G) and "The Owl" (RKO), okay \$1,000.

Newsreels (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) with "Cavalade of Academy Award Winners" (WB 4-reelers). Heading for good \$1,000. Last week, "Million B.C." (UA) and "Can't Love" (U), hit \$1,000, almost what was expected.

Free Star (UA-F-WC) (1,000; 25-26-27-28-29-30-31-1st wk.) "Salome" (UA) (2nd week). Heading out of run, but with another \$1,000 this week is still holding its own. Last week, good \$1,000.

Howell (G&R) (1,100; 25-26-27-28-29-30-31-1st wk.) "Milk on Floor" (Maj) and "Tale of Destiny" (RKO). Very little interest in this pair and will be lucky to hit \$1,000. Last week, "Aie Lincoln" (RKO) and "Conquest of Christ" (RKO) (2d week), okay \$1,000.

Hollywood (WB) (1,100; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB), with "Academy Cavalade" (WB 4-reelers). Looks like satisfactory \$1,000 on the plaza. Last week, "Million B.C." (UA) and "Can't Give Anything" (U), little better than \$1,000, just fair.

Orpheum (S-Way) (1,200; 25-26-27-28-29-30-31-1st wk.) "Woman Hunter" (Par) and "Shooting High" (2nd), dead, and dead. Little to interest trade and will have to be satisfied with about \$1,000, about what French Tiers (Par) and "Converted Woman" (Cul) drew last week.

Paragon (Par) (1,212; 25-26-27-28-29-30-31-1st wk.) "Prisoner's Fate" (RKO) (2nd wk.) and "Curtain Call" (RKO). Holdover of "Pain" with changed supporting features will likely add about \$1,000 in six days. First week, good \$1,000, with "La Coma Night" (U).

Paramount (Par) (1,200; 25-26-27-28-29-30-31-1st wk.) "Fruit Eater" (Par) and Marx Bros. at stage. Disappointing \$13,000 in seven days, with picture holdover over additional two days in period time to get back to Thursday (2d) opening. Last week, "Fanny's Daughter" (Par) and "White's Scandal" (Par) in condensed form, big \$15,000.

RKO (RKO) (1,212; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (RKO) (2nd wk.) and "Curtain Call" (RKO). Main feature being held over and will draw week \$1,000 in six days. Last week, "Pain" and "Half Sister" (U), okay \$1,000.

Rials (Loew-F-WC) (1,024; 25-26-27-28-29-30-31-1st wk.) "Lillian Russell" (2nd) and "Chen Panama" (2nd). Looks like healthy \$1,000. Last week, "Waterloo Bridge" (M-G) and "On Own" (2nd), okay \$1,000.

United Artists (UA-F-WC) (1,100; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Not as healthy as movement, but \$1,000 fair. Last week, "Milk Train" (M-G) on second week with "Wildfire Case" (M-G) fair \$1,000.

Whitely (F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Looks around good \$1,000 on movement. Last week, "Milk Train" (M-G) (2d wk.) and "Wildfire Case" (M-G), plus \$1,000.

Broadway Grosses

Estimated Total Gross
This Week.....\$171,000
(Based on 12 theaters)
Total Gross Same Week
Last Year.....\$152,000
(Based on 12 theaters)

**LEIGH-TAYLOR
NICE \$16,500
IN WASH.**

Washington, May 28.

Cold drizzle knocked the week-end out from under the mushrooming outdoor amusements and sent us scurrying back into the theater temples like mushrooms. Four new films opened enthusiastically with the weather break, which is showing total take away above recent average.

Three leaders are holding almost equal—30 "Milk Train" at the Capital, Loew's big vaude, "Torrid Zone" at Radio, WB's stage show spot, and "Waterloo Bridge," playing straight at the Palace. Other movie grosses in "Torrid," which got week-end start at Radio's via one-day p.a. of Anna Heagle and Herbert Wilcox. Later, plus presence of M-G-M's touring 30-male wagon and bally on debut of Radio's live abroad vaudeville, makes current week invalid exploitation season of the season.

Estimates for This Week

Capital (Loew) (1,200; 25-26-27-28-29-30-31-1st wk.) "Milk Train" (M-G) and vaude. Estimate but no-one stage left leaving it up to "Waterloo Bridge" to draw us in. Probably fair \$15,000. Last week, "Adventure" (2nd) and vaude, healthy \$11,000.

Columbia (Loew) (1,212; 25-26-27-28-29-30-31-1st wk.) "My Girl" (UA) (2d wk.). Back downtown after low week at Palace, and climbing mild \$1,000. Last week, "Strange Cargo" (M-G) (2d wk.), adequate \$1,000.

Radio (WB) (1,212; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) and vaude. Loew's, O'Brien and Cagney, plus ray dialing mentioned by all reviewers, hitting good \$12,000. Last week, "Typhoon" (Par) and "Red Shadow" toping vaude, same figure.

Radio's (RKO) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (RKO) (2d wk.). Anna Heagle-Herbert Wilcox p.a. drew all first-night critics, who went overboard for star although were guarded on pic. Impulse should lead it to big \$11,000. Last week, "My Way" (U), possible \$1,000 for slow days.

Radio (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) and vaude. Little to interest trade and will have to be satisfied with about \$1,000, about what French Tiers (Par) and "Converted Woman" (Cul) drew last week.

Paragon (Par) (1,212; 25-26-27-28-29-30-31-1st wk.) "Prisoner's Fate" (RKO) (2nd wk.) and "Curtain Call" (RKO). Holdover of "Pain" with changed supporting features will likely add about \$1,000 in six days. First week, good \$1,000, with "La Coma Night" (U).

Paramount (Par) (1,200; 25-26-27-28-29-30-31-1st wk.) "Fruit Eater" (Par) and Marx Bros. at stage. Disappointing \$13,000 in seven days, with picture holdover over additional two days in period time to get back to Thursday (2d) opening. Last week, "Fanny's Daughter" (Par) and "White's Scandal" (Par) in condensed form, big \$15,000.

RKO (RKO) (1,212; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (RKO) (2nd wk.) and "Curtain Call" (RKO). Main feature being held over and will draw week \$1,000 in six days. Last week, "Pain" and "Half Sister" (U), okay \$1,000.

Rials (Loew-F-WC) (1,024; 25-26-27-28-29-30-31-1st wk.) "Lillian Russell" (2nd) and "Chen Panama" (2nd). Looks like healthy \$1,000. Last week, "Waterloo Bridge" (M-G) and "On Own" (2nd), okay \$1,000.

United Artists (UA-F-WC) (1,100; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Not as healthy as movement, but \$1,000 fair. Last week, "Milk Train" (M-G) on second week with "Wildfire Case" (M-G) fair \$1,000.

Whitely (F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Looks around good \$1,000 on movement. Last week, "Milk Train" (M-G) (2d wk.) and "Wildfire Case" (M-G), plus \$1,000.

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Paramount (Par) (1,200; 25-26-27-28-29-30-31-1st wk.) "Fruit Eater" (Par) and Marx Bros. at stage. Disappointing \$13,000 in seven days, with picture holdover over additional two days in period time to get back to Thursday (2d) opening. Last week, "Fanny's Daughter" (Par) and "White's Scandal" (Par) in condensed form, big \$15,000.

RKO (RKO) (1,212; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (RKO) (2nd wk.) and "Curtain Call" (RKO). Main feature being held over and will draw week \$1,000 in six days. Last week, "Pain" and "Half Sister" (U), okay \$1,000.

Rials (Loew-F-WC) (1,024; 25-26-27-28-29-30-31-1st wk.) "Lillian Russell" (2nd) and "Chen Panama" (2nd). Looks like healthy \$1,000. Last week, "Waterloo Bridge" (M-G) and "On Own" (2nd), okay \$1,000.

United Artists (UA-F-WC) (1,100; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Not as healthy as movement, but \$1,000 fair. Last week, "Milk Train" (M-G) on second week with "Wildfire Case" (M-G) fair \$1,000.

Whitely (F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Looks around good \$1,000 on movement. Last week, "Milk Train" (M-G) (2d wk.) and "Wildfire Case" (M-G), plus \$1,000.

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Whitely (F-WC) (1,200; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G) and "On Own" (2nd). Looks around good \$1,000 on movement. Last week, "Milk Train" (M-G) (2d wk.) and "Wildfire Case" (M-G), plus \$1,000.

Rain Swamps Philly, But Torrid Zone' Wading to Great \$22,000

Key City Grosses

Estimated Total Gross
This Week.....\$1,021,000
(Based on 25 cities, 175 theaters, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,341,000
(Based on 25 cities, 175 theaters)

**'EDISON' BRIGHT
\$12,000 IN
CLEVE.**

Cleveland, May 28.

Favored by better product and fewer competitive factors, the downtown delinquency are finally getting a well needed break. Evident of vacationers is being held up by deceptively cool winds and rain, while spurs of publicity fireworks on part of 20 houses is keeping 'em film-minded.

Tolson the Man' consequently is getting the edge, turning in very respectable score for State. Roy's "Johnny Apple" is running a couple of strides ahead of "Doctor Tides Wild" at Palace, but latter taking house out of the hole it's been in for fortnight. Even 30 "Milk Train" is putting good stand with into film.

Estimates for This Week

Allen (RKO) (1,200; 25-26-27-28-29-30-31-1st wk.) "Favorite Wife" (RKO). Extra good for third week, \$1,000. Last week, good and combined, with "Year One Squad" (WB) grabbing only \$800 in four days, and "Toland of Damned Men" (Cul), \$1,000 in three.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "They May Live" (Foreign). First and last import in light house's and experiment to set up foreign picture for summer, but anti-war French film too heavy and depressing for these times. Just for the record, this one crawled along for five miserable days, barely \$1,000, forcing backers to call it off and take \$800 loss.

Allen (Warner) (1,200; 25-26-27-28-29-30-31-1st wk.) "Johnny Apple" (2nd). Dorothy Lamour-Tyrene Power follow-up helping it gather around \$1,000, okay, although hesitant on getaway. Yet not so hot, comparatively speaking, as h.o. of "My Favorite Wife" (RKO) last week, excellent \$1,000.

Allen (RKO) (1,200; 25-26-27-28-29-30-31-1st wk.) "Doctor Tides Wild" (Cul). Rather light stuff, but liked and satisfactory at \$1,000, indicating a pickup for this stand after some off weeks. Last since one of those that should be forgotten "Adventure" (2nd) power-drawing to low \$1,000 and out to its day.

Allen (Loew's) (1,200; 25-26-27-28-29-30-31-1st wk.) "Milk Train" (M-G). Nicely sold, avoiding errors of "Young Tom Edison" and rolling toward good \$1,000. Last week, "Typhoon" (Par), fairish \$1,000.

Allen (Loew's) (1,200; 25-26-27-28-29-30-31-1st wk.) "Milk Train" (M-G). Drawn up by Wally Berry follow-up, pleasant notice, to \$1,000, worthwhile. Last week, "Million B.C." (UA) and surprise, \$1,000 but in a long time.

**LEIGH-TAYLOR, \$6,500,
LOUD IN QUIET MEMPHIS**

Memphis, May 28.

"Waterloo Bridge" is the only thing in town this week that is getting any money. Vivian Leigh-Robert Taylor continue in clicking nicely at Loew's State, but the rest of the houses are dying.

"Aie Lincoln in Hiss" garnered rave notices at the New Haven, but was pulled yesterday after a week five-day day. The North's Civil War President is no breathless bait in Dixie, even at this late date. Lightness office is making "Starfish" into the bargain for balance of the week.

Estimates for This Week

Loew's State (Loew's) (1,200; 25-26-27-28-29-30-31-1st wk.) "Waterloo Bridge" (M-G). Favorable press helping natural appeal of stars to \$1,000. Last week, "Mr. Sun" (UA), \$1,000, fair.

Warner (Warner) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Doing okay for h.o. within \$1,000. Last week, "Torrid Zone" (WB), \$1,000, very good.

Philadelphia, May 28.
The Ringling-B. & B. Circus has gone, but the rainy weather is keeping an end doing its worst in putting the danger on theaters h.o. this week. Only really healthy sale is that being chalked up at the Radio, which is making "Torrid Zone" and the "Cavalade of Academy Award Winners" Grosses hit tagged by this week is setting new record for the house at the minimum mark.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Taking a steep drop to mediocre \$1,000, after nice \$11,000 for opening.

Allen (2nd) (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

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Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-1st wk.) "Torrid Zone" (WB) (2d wk.). Putting up with \$1,000, after and \$1,000 for last week's split of "Apple" (2 days) and "Prisoner" (RKO), four days.

Allen (WB) (1,200; 25-26-27-28-29-30-31-

'Cyclops' Good \$3,500, But 'Edison' The Man' Light \$4,900 in Mpls.

Minneapolis, May 28.—The principal current development in the picture business here, which are tightening up picture exchange prices. With heavy real estate taxes due this week, entertainment buying power is reduced, and the usual bad seasonal influence is aggravating the picture. The picture in general and stock prices also has taken with attention locally and had its underlining effect on grosses.

Newcomer attracting attention is 'Dr. Cyclops'. On the other hand, the highly priced 'Edison the Man' and heavily advertised 'Torrid Zone' are only mild.

Estimates for This Week
Adams (Par-Singer) (1,000; 25-26-27)—'Angel Tramp' (WB) and 'The Gas House' (WB), dual first-run, split with 'Shooting High' (WB) and 'On Over' (WB), also dual first-run. Headed for good \$2,000. Last week 'One Beautiful' (M-G) and 'Daddy' (M-G) (U), dual first-run, split with 'The Man' (Par) and 'The Love' (U), dual \$1,000.

Century (Par-Singer) (1,000; 25-26-27)—'Favorite Wife' (RKO) (U). Moved here for extension of first-run after big week at State. Reaching toward good \$2,000. Last week 'Black Beauty' (Par) (U) (U), \$1,000, mild.

Regina (Gibson) (200; 25-26-27)—'The Man' (U) (U) (U). Headed for good \$1,000. Last week 'The Man' (U) (U) (U), \$1,000, mild.

Orpheum (Par-Singer) (1,000; 25-26-27)—'Torrid Zone' (WB). Very well liked, but chief appeal is to males and that makes boxoffice prospects not bright. Thriving along to light \$1,000 in six days. Last week 'Typhoon' (Par), \$1,000 in six days, good.

State (Par-Singer) (1,000; 25-26-27)—'Edison the Man' (M-G). Critics went all the way in hounding this one, but initial response extremely disappointing. Light \$1,000 may be about all. Last week 'Favorite Wife' (RKO), very big \$1,000.

Optima (Par) (1,000; 25-26-27)—'Gai Friday' (U) (U) (U) with 'Bluebeard' (U) (U). First neighborhood showings. In route to good \$1,000. Last week 'Virginia City' (WB) (U) with 'Gai Friday' (U) (U), first neighborhood showings, \$1,000, satisfactory.

World (Metzger) (200; 25-26-27)—'The Man' (U) (U) (U). Plenty timely and because of general reputation against failure it's square in spotlight. Light at \$1,000, however, and out after \$1,000 in six days. Last week 'The Man' (U) (U) (U), \$1,000, mild.

'WATERLOO' OK \$9,500 IN DET.

Detroit, May 28.—(Best Exhibition Fox)

'Lillian Russell' is bringing fine life to the Fox. Following big take last week, which saw vanderbilt returned to the Fox stage after a year's lapse, the picture is showing signs of growing well up to that total. The rest of the town won't come anywhere as high, but will stay slightly above average.

Vanderbilt, which in the experiments at both the Fox and Michigan gave healthy signs, seems headed back strong. Where the two major houses had been alternating on stage shows, they both will come up with them starting June 7—The Michigan with the Bob Hope troupe and the Fox counteracting with Eddie (Bachster) Anderson and Betty Grable as its names.

Fox didn't just depend on the name and press badly to sell its picture. A window is practically every big downtown store and the public toward the picture with Lillian Russell style displays. Added to this was a \$100 giveaway of jewelry. Lucky numbers were shown from blinks deposited in the lobby, with the jewelry awards to be picked up at one of the town's big stores.

Estimates for This Week
Adams (Gibson) (1,500; 25-26-27)—'Dressed Man' (U) and 'Man Nine Lives' (U). Bringing in pair of children instead of a usual switch-over, the bill looks for a better than average \$1,000. Last week 'My Way'

(U) and 'The Cruise' (WB), former around \$1,000.

Fox (Par-Michigan) (1,000; 25-26-27)—'Lillian Russell' (WB) and 'The Man' (WB). Headed for around \$2,000 and probable holdover. Last week 'The Man' (WB) and 'The Love' (WB), \$1,000, mild.

Michigan (United Detroit) (1,000; 25-26-27)—'Torrid Zone' (WB) and 'Saturday's Children' (WB). Looked like just fair \$1,000. Last week 'Typhoon' (Par) and 'Edison the Man' (M-G), \$1,000.

Polite State (United Detroit) (1,000; 25-26-27)—'Typhoon' (Par) and 'Edison the Man' (M-G). This was moved over intact from Michigan and looks for good \$1,000. Last week 'Black Beauty' (Par) and 'The Love' (U), \$1,000.

United Artists (United Detroit) (1,000; 25-26-27)—'Waterloo Bridge' (M-G) and 'The Man' (U). Looked for good \$1,000 and possible holdover. Last week 'The Man' (U), which opened as weak another picture, 'Angel From Texas' (WB), was added to bill, week \$1,000.

Dunne-Grant, Vaude, \$16,000, Fine in Balto

Baltimore, May 28.

Only fairish response to product on hand here, with exhibitors inclined to point to war letters as possible cause. In commanding lead is 'My Favorite Wife' at the Radio City. Also promising is 'Waterloo Bridge' at Loew's Century, reaching in an excellent daytime female trade and pointing to stay square.

Second week of 'Lillian Russell' at the New, is holding up in pleasing fashion, with third session already underlined.

Estimates for This Week
Century (Loew's-IA) (1,000; 25-26-27)—'Waterloo Bridge' (M-G). Getting steady response to possible \$1,000. Last week 'Lillian Russell' (M-G), good \$1,000.

Orpheum (Shagburt) (1,000; 25-26-27)—'Favorite Wife' (RKO) plus vaude. Gross Dunne-Grant Circuit leading town to fine \$1,000. H. indicated. Last week 'The Man' (RKO) plus vaude headed by p.a. of Bert Wheeler, slightly better than fair at \$1,000.

Radio City (Schubert) (1,000; 25-26-27)—'Seven Gables' (U). Not getting very far at \$1,000. Last week 'My Way' (U), somewhat disappointing at \$1,000.

New (Bachster) (1,000; 25-26-27)—'Lillian Russell' (WB) (U). Holding strong pace at \$1,000 after bullish \$1,000 on opener. Third week already underlined.

Shelby (WB) (1,000; 25-26-27)—'Typhoon' (Par). Facing in an excellent downtown area (Theater) opening for 'Torrid Zone' (WB). Will garner top \$1,000 for 11-day run.

Summer B.O. in Lincoln; 'Typhoon,' \$3,500, in Fair

Lincoln, Neb., May 28.

'Typhoon' and 'Lillian Russell' are running neck and neck this week, but neither is good and neither is especially disappointing. The 19th century evoking isn't hurting Allen Faye, but it's dalling the former train once they glimpse the roller and hair-die of America and Faye on the jinky stilt. Dorothy Lamour, on the other hand, still spells strong, and the latter still seems to mean enough male h.s. for fair take.

Summer is here and indoor amusements are taking a back seat for the novelty of open air. Management looks for help when it really comes to making money.

Estimates for This Week
Columbia (Mercury-Federal) (1,000; 25-26-27)—'Saint New York' (RKO) and 'The Man' (WB) (U), with 'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Lincoln (Paramount-Copier) (1,000; 25-26-27)—'Lillian Russell' (WB). Headed for nine days, which appears no better than \$1,000, under hopes by quite a bit. Last week 'Black Beauty' (Par), nine days, \$1,000.

DE. 10-20-25-40 — 'Free, Rude' (WB) with 'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Metzger (Par-Michigan) (1,000; 25-26-27)—'Typhoon' (Par) and 'The Man' (WB). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Variety (United Detroit) (1,000; 25-26-27)—'Flight Angel' (WB) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Buffalo, May 28. Buffalo headlines present a topography picture this week, with the two indie houses milking the town of its amusement coin. 'My Favorite Wife' at the 20th Century, is running up a sparkling session on its own merits, proving that, grownups or not, the picture's the thing. 'My Way' at the Lafayette, is also bright.

The surprise of the season is the fact that both 'Lillian Russell' and 'Edison the Man' are failing to excite more than ordinary business.

Estimates for This Week
Buffalo (Shelby) (1,000; 25-26-27)—'Lillian Russell' (WB). Looking for 'only' commensurate \$1,000. Last week 'Waterloo Bridge' (M-G), ordinary \$1,000.

Great Lakes (Shelby) (1,000; 25-26-27)—'Lillian Russell' (WB). Disappointing, around \$1,000. Last week 'Typhoon' (Par) and 'The Man' (WB), \$1,000.

Shelby (Shelby) (1,000; 25-26-27)—'My Favorite Wife' (WB) and 'The Man' (WB). First offish at around \$1,000. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Lafayette (Shelby) (1,000; 25-26-27)—'My Way' (U) and 'The Man' (WB). In the velvet study for point \$1,000. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Loew's Century (Shelby) (1,000; 25-26-27)—'Waterloo Bridge' (M-G) and 'The Man' (WB). Reaching over and will see strong status. Over \$1,000, a top-up. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Loew's (Shelby) (1,000; 25-26-27)—'The Man' (WB) and 'The Man' (WB). Reaching over and will see strong status. Over \$1,000, a top-up. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Loew's (Shelby) (1,000; 25-26-27)—'The Man' (WB) and 'The Man' (WB). Reaching over and will see strong status. Over \$1,000, a top-up. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Loew's (Shelby) (1,000; 25-26-27)—'The Man' (WB) and 'The Man' (WB). Reaching over and will see strong status. Over \$1,000, a top-up. Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

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White's 'Scandals,' \$23,000, Big In Frisco; Ditto 'My Son,' \$12,000

San Francisco, May 28.

George White moved his 'Scandals' into Golden Gate this week at the top, and, with 'You Can't Fool Your Wife,' will take the high gross of \$23,000.

Following the long run of 'Believe in My Son,' which shows signs of top money in 'Edison the Man' at Paramount.

Estimates for This Week
Fox (F-WC) (1,000; 25-26-27)—'Waterloo Bridge' (M-G) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Golden Gate (RKO) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Orpheum (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Paramount (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

St. Francis (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

United Artists (Gibson) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Warfield (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

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Following the long run of 'Believe in My Son,' which shows signs of top money in 'Edison the Man' at Paramount.

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Fox (F-WC) (1,000; 25-26-27)—'Waterloo Bridge' (M-G) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Golden Gate (RKO) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Orpheum (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Paramount (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

St. Francis (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

United Artists (Gibson) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

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Warfield (F-WC) (1,000; 25-26-27)—'The Man' (WB) (U) and 'The Man' (WB) (U). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Sheridan-Cagney Torrid \$5,000; L'ville Better

Los Angeles, May 28.

Product is of a stronger line this week, which will be a factor in rekindling his prospects currently. Particularly as the main stem, all three houses are putting forth a real bid for business with pictures that should please all tastes. Weather has been favorable for downtown houses, too, cold and rainy.

'Lillian Russell' is a single at Radio, should round out a profitable week. 'Edison the Man,' dualized Loew's State, shaping up splendidly, while 'Torrid Zone,' staged at the Mary Anderson, is scoring a nice share of town's box.

Dr. I. Q. started a six week series of breadcasts from Loew's State Monday (27), and the strings will undoubtedly prove a h.s. type on a usually light day.

Estimates for This Week
Brown (Loew's-Fourth Avenue) (1,000; 25-26-27)—'Typhoon' (Par) and 'Beyond Tomorrow' (RKO). Won't be hot on first week at Radio, and moreover looks to be light-weight. Probably \$1,000. Last week 'Favorite Wife' (RKO) and 'The Man' (WB), \$1,000.

Radio City (Shelby) (1,000; 25-26-27)—'My Favorite Wife' (WB) and 'The Man' (WB). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

Radio City (Shelby) (1,000; 25-26-27)—'My Favorite Wife' (WB) and 'The Man' (WB). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

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Radio City (Shelby) (1,000; 25-26-27)—'My Favorite Wife' (WB) and 'The Man' (WB). Last week 'The Man' (WB) (U) and 'The Man' (WB) (U), \$1,000.

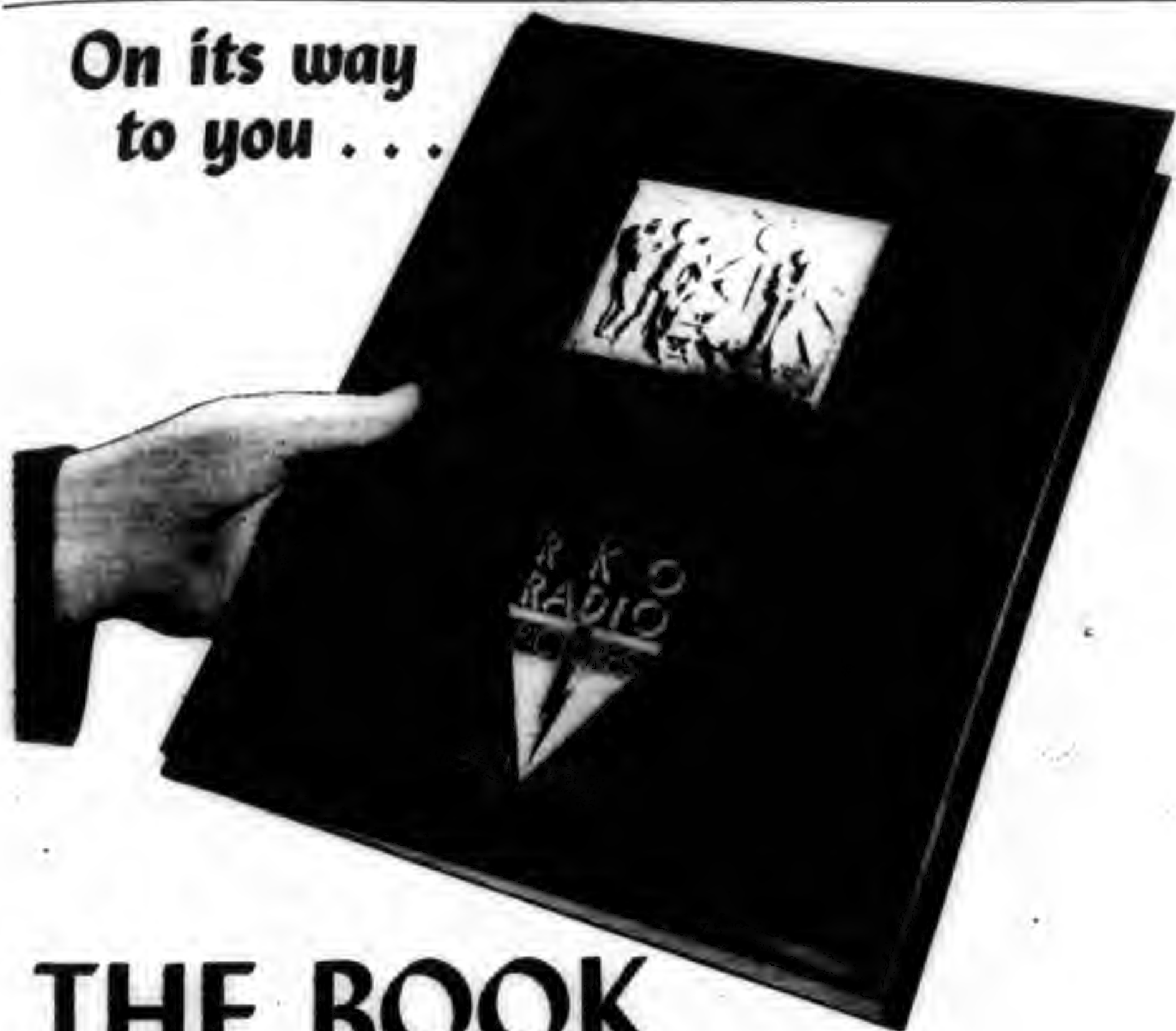
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Radio City (Shelby) (1,0

**On its way
to you . . .**



THE BOOK
that tells why this
TRADEMARK



means
MORE TO YOU
than ever before . . .

FILM SHOWMANSHIP

By John C. Finn

Boston, May 28.

By the simple expedient of a reversion back to showmanship fundamentals, expertly used a generation ago by theatrical advance agents in "Way Down East," "The Old Homestead" and other plays of New England background, the filmed version of Thornton Wilder's play, "Our Town," was launched successfully at a dual world premiere (21) in Loew's State and Orpheum, Old-timers, reading the newspaper advertisements, closed their eyes and visualized DeWitt Thompson back again in the spy house.

United Artists' recently reinforced field exploitation force, working in collaboration with the local Loew theatre organization, struck a mortal blow in the exploitation and advertising campaign for the production of the Pulitzer prize-winning play. Display copy and press reading notices, of which there were many in view of the appearance here of some of the film's leading players, including Frank Craven, Benish Bondi and Fay Baker, shied away from the streamlined problems of present times, and accentuated the homely and simple appeal of village folk and life in the New England hills.

Concrete praise for the entertainment qualities of the film was given by the reviewers, but showmen observed the premiere handling with a keen interest in the rich exploitation possibilities of the picture. Engagement in both houses started off at top capacities, and the week will show better than average business in each house. "Our Town" is a film which stands up under enterprising exploitation.

As a play, it was presented on a stage benefit of all but the constant money—a few props which the actors moved around as an aid to illusion. Regarded generally as a novelty, it emerges as a film of honest and likable American home folks. Sam Wood, the director, working with a script which was prepared by Wilder, has imparted to the screen something of the deep emotional content which he gave to "Goodbye Mr. Chips."

THE SIMPLE APPROACH

Success of the handling here is attributed to the fact that no attempt was made to glamorize a story which deals with "down east" people in their honest approach to rural life. All of the advertising copy was confined to the primitive, compelling viewpoints of the charac-

ters. With half the world trembling under the impact of high explosives, with the other half alert to the call for military preparation, "Our Town" did not lose in an atmosphere of new movie hey, while picket lines around green shutters houses, met on the country-side and boxing bars around the ballyhoo.

First of a series of advance features in the newspapers was a well written display, two columns by six inches, introducing the characters of the Wilder play. Each is typed with a splash of dialing from the script. "It's the dream of my life to be Paris, France," says Mrs. Gibbs, whose longest trip from Grover's Corners, N. H., was an annual journey to Boston. Mrs. Webb, her neighbor, says, "Both my children got good features. I'd be ashamed if they hadn't." Dr. Gibbs declares, "Everybody has a right to their own troubles," and the village editor hands out the advice to the young bridegroom, "Never let your wife know how much money you have. Never." And Howie Newman says, "Can't keep in secrets from a politician. I know what's going on."

PROGRESSIVE SERIES OF ADS

Each day the series progressed. Largest space was given over to the opening day's display, a pictorial top and girl layout, with brief captions under the heading, "If you could live over again the happiest moment of your life, which would you choose?" Interest is directed to the high spots of first love, marriage, first child. None of these is omitted by Emily, the young girl in the film. She, the advertisement declares, chooses to live again the most ordinary happening in her life—her 14th birthday.

Full space totaled \$3.750 in the newspapers, with something more than that amount spent in outdoor killing and premiere exploitation stands. Later included an art-light display, ceremonies in the theatre lobbies, radio trips and introduction of guests by a public-speaking system.

Local United Artists' exchange is setting the picture for early openings at a score of spots outside the metropolitan area immediately to take advantage of the extensive circulation of the Boston newspapers.

Initial engagement was handled by Joseph Long and Louis Allen, from United Artists' home office, and Joseph Duffin, of the local Loew theatre.

DETROIT MGRS. FORM A UNION

Detroit, May 28.

First in its field, the newly organized Detroit Theatre Managers & Assistant Managers Union is seeking affiliation with the IATSE.

As the first managerial union in the field, although locals have been quietly organized in several other cities, at least three, the Detroit group announced through Ray Miller, its business agent, its intent to affiliate. The question has been passed along to the I.A. executive board through president George E. Brown.

At the present time the Detroit managers union operates under a charter issued through the Detroit Federation of Labor.

306 PICKETING B'WAY HOUSE, CONTINENTAL

For some time picketing seven

houses which employ Empire State operators to the Greater New York area, Local 200, Moving Picture Machine Operators has extended pickets to the Continental in downtown N. Y., which went into an Italian film policy Thursday night (22). This is the first house in the Broadway area to be picketed by 200 which will vigorously resist any efforts of Empire to invade this territory.

House, Empire-manned, which 200 has been stubbornly campaigning against for a long while, with picketing renewed this spring, are in the make and all minor.

Mpls. to Enforce Juve Law

Minneapolis, May 28.

Twain City independent exhibitors at meeting last night (27) pledged intent to cooperate fully with police officials in enforcing curfew law prohibiting presence in theatres after 8 p. m. of unaccompanied children under 16.

Police chief had complained that some exhibitors have been ignoring law and that, in consequence, there has been rise in juvenile delinquency.

TOWN' CONTEST B. O. CUES CAMPAIGN SPREAD

Success of United Artists' "Emily and George" campaign in "Our Town" in Boston last week has resulted in a decision to use it at similar openings throughout the country.

Stunt was to have newspapers in towns within a 30-mile radius pick the boy and girl who most resemble Emily and George, chief characters in the picture. Each of the boys and girls was brought in to Boston for the press, accompanied by the mayor and other dignitaries of their towns.

Result, U.A. and producer Hal Leiser feel, has been such a great increase in interest in the surrounding territory that it has not only brought patrons into Boston to see the film, but made bookings in the towns much easier. Fourteen dates within the next two weeks have resulted from the campaign. U.A. is making up a special portfolio on it for its staff of 15 permanent field men.

SALACIOUS ADS BAN INDIE PIC IN B'HAM

Birmingham, Ala., May 28.

After an official OK on "Tales of Desires" at the Galen here, the local police department rescinded the action and banned the exhibition because of the "sensational nature of advertising" used in exploitation.

Headline ads on the picture were a reprint of text given Ohio State University students in 1938 to determine standard of morality. Police Commissioner Connor accused the exploitation was "indecent and salacious."

'Md.' to Preem in Balto

Twentieth-Fox is laying plans to world premiere its "Maryland" in Baltimore early in July. Railway Block, of the B&O public utility department, was in the Maryland key city last week discussing preliminary arrangements.

While it is tentatively set to hold the greens at the New, Balto, sponsored by Merchants Marine, under consideration is a day-and-date twofold in another theatre there.

Lapidus' U Spot In N. Y.; Other Manpower Moves

Shifts in the Universal sales department made yesterday (Tuesday) by press Hays Blumberg up John Lapidus from Pittsburgh branch manager to eastern district manager. He'll be in charge of exchanges in Boston, New Haven, Washington and Philadelphia and will headquarters in New York.

A. J. Herman, whom Lapidus succeeds, becomes Boston branch manager, and W. P. Kelly, present holder of that spot, becomes Herman's assistant. Pete Dunn, special representative in New York, will take over the Pittsburgh management vacated by Lapidus.

Lapidus was winner of the Ruddy sales drive which wound up at the company's recent convention in Atlanta City.

Cleveland Shifts

Cleveland, May 28.

Tony Laurie being taken out of Warner's exchange contact office and made assistant manager of Variety. Don Kelly, assistant in downtown Bldg., also transferred to Lima, O., to manage the W. B. State, while Guy Ellis from the Variety assumes his former post.

Charles Raymond, division manager of Loew's Ohio houses, bringing in new publicity director this week to succeed Mild Harris, resigned. Later left Monday (27) for Coast to become unit manager for Jack Benny's next Paramount film. Name of assistant not announced yet, but he's from N. Y.

Danmark Grille reopening Fagan Square as foreign picture house Friday (May 26) with Italian-made "Giuseppe Verdi" as starter. It's third change of management in one year for the house. Harriet officiating chiefly known here as impersonator of Italian stage shows.

Prize Bldg. Signs

San Francisco, May 28.

Four business generally among the Market street sign houses, which into the major picture must, has also hit the small drop-in houses with the result that Aaron Goldberg, who controls the Regal, Egyptian, Silver Palace and Frontier, this week posted a two weeks' notice for all employees. It's a precautionary measure, which may be cancelled if b.o. up the next 14 days.

Bldg. in the make is reported to be together with the opening of the Fair and may result in closing a number of houses of the Golden State chain, according to Bob McNeil, press, Circuit has 17 houses in this area.

Canton And Closed

Canton, May 28.

This city's 35-year-old City Auditorium, used for all types of gatherings, including privately-sponsored shows and musical revues, wrestling and boxing matches, basketball, etc., closed by Fire Chief George Jacob as a fire trap. The aud., in downtown section, covers a block, seating 2,500.

Elliot's Airport Post

Youngstown, O., May 28.

John R. Elliot, in the theatre business here many years, managing the old Hippodrome, Palace and the old Grand Opera House, appointed superintendent of the city's \$1,000,000 municipal airport, now under construction, effective June 15.

Gillock's Promotion

Cambridge, O., May 28.

Dan J. Gillock, manager of the State and Ohio here, named manager of Four Shea Theatre in Ashland, O. Assumes new post June 1.

ILLINOIS Theatre Sale

Newark, N. J., May 28.

One of the largest real estate deals here in several years was negotiated recently when attorney Max Sussman, acting as agent, purchased the Grand theatre building in South Park place from the owners, who are heirs of the late James B. Thomas. Price paid was \$20,000.

Baltimore's Revue

Baltimore, May 28.

Antonio Bonanno, head of a local neighborhood theatre show, in Rhode Island hospital, advised there for a complete rest.

Gamble's Added Chores

Portland, Ore., May 28.

Ted B. Gamble, manager of the 2. I. Parkway Theatre in Portland, Astoria and Pendleton, elected 1946-47 (Continued on page 27)

U.S. Film Service Deal at 75-25% Scored in Trade

Execs of the loan-dash U. S. Film Service in New York this week heartily defended the terms at which the Government earlier this month sold distribution rights to "The Fight for Life" to Columbia. There were hints in other quarters that the entire deal may be upset and new bids asked.

Cut, the only major among seven bidders, won the rights with an offer of 25% of the gross for the Government, and 75% for itself. Usual distribution terms are almost the reverse, with the producer getting about 25% in the distributor's 25%.

Officials of the Film Service pointed out, however, that there are no deductions to be made from its 25%. Cut to pay for all prints, screenings, advertising and everything else. Usual distribution deal protects these expenses between the parties.

Meanwhile, reports grow at a rapid rate of missed eyebeams in the trade at the terms of the Columbia contract, that New Deal-baiting showmen, who last month got the rights under the Film Service, might attempt to make a minor amendment out of the sale. Result may be either a request for new bids or a rewording of the contract to one of the other companies that made a higher bid than Cut.

It was admitted at the Film Service that there were better bids on paper than Cut's, but none was more practical. It was the only company bidding with a complete exchange and sales layout. There was one offer of 50%, for instance, but it was from the manager of a lecture bureau with no experience or facilities for handling film.

Pictures which are in work when the Film Service bids June 26 will be continued, it was explained, by individual Government agencies on whom order the outfit was making them.

GREENTHAL WEST TO ALIGN UA EXPLOITERS

Monroe Greenthal, chief of the United Artists exploitation department, planned from New York for the Coast on Saturday (23) to set up the Hollywood end of U.A.'s new 11-man field exploitation staff. He'll be away about six weeks.

Greenthal's first action will be to make final arrangements with the man to head the new Coast publicity office. Probable appointee has been selected but not actually posted as yet. Greenthal will also confab with U.A. producers on campaigns for forthcoming films.

Joe Shea joins U.A. and will handle the Fox World press of "The Westerner" (Goldwyn). Jimmy Gillock shifts from RKO's field force to U.A. also, not yet assigned.

Det. House Ties Up Auto Agcys. For Lifts to Fix

Detroit, May 28.

Automobiles and the films make a natural thing in Detroit. Here the Fox has formed a mutually profitable link with the town's many Plymouth showrooms.

During last week's stage appearance of Ted Lewis, 26 Plymouths rolled through the streets with the signs, "Stop Me and I'll Take You to See Ted Lewis." Every afternoon and night the cars were out picking up hitch-hike fans.

The theatre also advertises "Call your neighborhood Plymouth dealer for a free ride to the Fox." The showman's humble car over and takes the family down to the theatre. For the showman it provides new leads to customers and a chance to give demonstration rides.

SCREENO-QUIZ KAYOED AS A LOTTERY IN NEB.

Lincoln, Neb., May 28.

"Screeno-quiz" played in much the same manner as bingo in theatres, was given the shills under Nebraska's lottery law, by attorney general Walter Johnson, who said it got at the back night result by indirect route, and possessed all the ingredients Nebraska law and courts recognize in lottery—prize, consideration and chance.

James T. English, county attorney for Douglas (Omaha), asked for Johnson to rule, after several Omaha theatres had been using the payoff plan to lure patrons. After winning by getting five answers to a row on the "screeno-quiz" cards, patron is called to the stage, called upon to pick at random one from 24 questions he'll be asked, and if correctly answering it, he gets the prize. If unable to answer, the money goes over to the next week.

Johnson's words, after reciting the finding of the Nebraska supreme court in the bank night test against the Fox Theatre theatres of Beatrice, Neb., in 1938, said "screeno-quiz" was "unquestionably a lottery."

THAT FILM DIVISION HEAD SCORES IN SUIT

Max G. Fidler and Ben Swadlow lost their fight against Joseph Silverman, secretary of the Motion Picture Division of Theatrical Managers, Agents and Transmitters Union, and Charles E. Carroll, when N. Y. supreme court Justice Lloyd Church denied the plea to hold up a union meeting at which the plaintiffs are to be brought up on charges of misconduct, and also dismissed their action against Silverman. In ruling against the plaintiffs, the judge indicated that they had failed to exhaust their remedies in the union itself.

The two plaintiffs charged Silverman with dominating the union, failing to open a union bank account, failure to provide for quarterly audits combining union money with his own, and refusing to appoint a chairman and members of a trial board, vacant since December, 1938. They also claimed that shortly after the initiation of this action the union brought them up on charges of anti-Semitism, acting as agents and violations of rules.



WORD-OF-MOUTH!



**CAPITOL'S
THIRD WEEK!**

"A cinch to win you" — *Water H'ched*
 "Excellent story and production. Taylor superb"
 — *Landis Parsons, Columnist*
 "Hike straight to the Capitol" — *Times*
 "Absorbing screen drama" — *Herald Tribune*
 "Sure to be popular" — *Sen*
 "Excellent. Taylor's best, Miss Leigh fine" — *Post*

**VIVIEN LEIGH and
ROBERT TAYLOR!**

Metro-Goldwyn-Mayer's

WATERLOO BRIDGE

*extends its CAPITOL stay
for another week!*

Broadway & 31st Street, Major Edward Bees, Mng. Dir.

with Lucile Watson, Virginia Field, Maria Ouspenskaya, C. Aubrey Smith • A Mervyn LeRoy Production • Screen Play by S. N. Behrman, Hans Rameau and George Froeschel • Based on the Play "Waterloo Bridge" by Robert E. Sherwood Directed by Mervyn LeRoy • Produced by Sidney Franklin • An M-G-M Picture



Sol Lesser's Smash Hit Is
THE SPOTLIGHT PICTURE
 at Boston World Premiere

RECORD BUSINESS AT LOEW'S STATE AND ORPHEUM for the year's most anticipated—and most exploitable—picture.

19,000 PEOPLE SAW IT OPENING DAY as Mayor Maurice J. Tobin proclaims "Our Town" Week and New England Governors join Hollywood stars as honor guests at premiere.

FIRST FOUR DAYS put it side by side with top grossers of the year at the State and Orpheum as thousands respond to exploitation and advertising covering 200 mile area.

CONTEST IN 31 SURROUNDING COMMUNITIES bring typical "Georges and Emilys" to Boston for final judging...cracking tremendous newspaper space.

WORD-OF-MOUTH PRAISE, CRITICS' RAVES roll up business. "Memorable milestone!"—BOSTON POST. "Superb"—TRANSCRIPT. "Enormously affecting!"—TRAVELER. "Paying public will find it excellent entertainment!"—HERALD. "Will outlive most of the season's best-sellers."—AMERICAN.

OUR TOWN

from the Pulitzer Prize Play by Thornton Wilder

WILLIAM HOLDEN • MARTHA SCOTT
FAY Bainter • BEULAH BONDI • THOMAS MITCHELL
GUY KIBBEE • STUART ERWIN • FRANK CRAVEN

Directed by SAM WOOD

OPENING SOON at Loew's State, Providence; Poli, Springfield; Poli, Worcester; Poli, Bridgeport; Capitol, Lawrence, Mass.; Empire, Portland, Me.; Opera House, Bangor, Me.

RELEASED THRU UNITED ARTISTS



Ameche on the Spot as Part Of Lawmakers' Blast at 'Organized Propaganda' in Fighting Neely

Washington, May 28.—Fingerings of a formidable report coming out of the House Interstate Commerce Committee's current hearings on the Neely bill improved considerably during the past week. With lawmakers reform groups giving way to the obviously legislative business sense of indie exhibitors as the proposals wound up their second week and a last fraction developing to organized propaganda when the opponents took over yesterday (Monday), advocates saw a strong glimmer of hope.

While it still is problematical whether legislation of this sort will come up for debate before the session ends, the way the group turned to Charles C. Pettijohn, general counsel for the Motion Picture Producers & Distributors of America and held marshal for the Neely law last week, more than hinted that the measure will get on the calendar. Whether a vote can be obtained at this late date, with national defense issues waiting, is something else.

Organized outgrowth against the Neely bill launched Monday. It's with suspicious lawmakers bring hostile questions about how the Hollywood Guild happened to join the major drive. Reassignment was obvious at the letters which studio employees have sent members of the House, while there was clear display of dislike at inability of various witnesses to reply to questions.

Ameche's Fuzzy Memory

Representations occurred when Don Ameche took the stand in an attempt to improve the House Interstate Commerce Committee with corporate name disappearance of the reform pinpoints. Earlier Col. James S. Joy of 20th Century-Fox had nettled members by denying all inquiries about sales methods.

Real savings piled around Representative Clarence Brown, an Ohio Republican who had been counted upon to fight the measure but who has thrown out hints he's for the bill. Right after Representative James McGranery of Pennsylvania had inquired, how did the Guild happen to get into this, the Illinois referred to the mail shortage by Brown's efforts.

Recalling he received a letter from Ameche, Brown inquired if the actor wrote the letter personally. Fuzzy memory was the excuse for clicking a direct answer to this and related queries about how it happened on many letters came at once, why many times the same expressions appeared, how the names of the Congressmen were obtained, and who suggested the personal points. Brown satistically observed it is helpful to hard-pressed lawmakers pondering controversial issues like "murder" and "murder" of film distribution to have the views of Mickey Rooney and Shirley Temple.

Directors Oppose Synopsis Provisions

Like Ameche, two ambassadors for the Screen Directors Guild, Albert E. Sutherland (Universal) and George Blevins (Columbia) declared availability is imperative.

More of the same argument was presented by Col. Joy, who brought in sample scripts to emphasize his objections. He stated incidents where exhibitors, the Screen office, and others had obtained one idea from the treatment of script and another impression after seeing finished product.

Typical pictures must be given up while 20th-Fox is prepared to sell pictures only singly, after completion, and via trade showing in event the panorama gets to the law limits, Joy declared.

Independent exhibitors from the West Coast and Texas voiced alarm chiefly that the bill would not then their product. R. H. Poole, secretary of the Pacific Coast Conference, stating a remedy worse than the disease, was apprehensive that rural would be taken away if distributive selling pictures individually. Henry Beale of Texas, who feels the principal trouble is "not had the moral sense" pictures but too many small ones that aren't good enough, said there is danger of a "monopoly of playing time by large circuits,"

through increased rentals and lengthening of interval between runs.

Story of how the major distributors reiterate films whenever a run-time makes use of the rejection privilege—held by National Amusements of Fall River, Mass., former president of Allied States Association—obviously made a deep impression on the House Interstate Commerce Committee. Even the lawmakers, who consider the Neely bill unworkable, privately admitted they thought the studio testimony of the proponents was so telling that the producer-distributor group and its affiliated theatrical allies ought to begin making concessions.

Opponents got off to a fairly good start with Representative John M. Cotto, whose district embraces most of Hollywood, presenting the argument that the legislation would "straight-jacket" producers.

In setting the pace for the technical witnesses, Cotto denied that bookkeeping means monopoly and argued that the bill would not enable local communities to influence selection of films unless it was supplemented by a censorship or boycott. He laid the groundwork for Pettijohn's contention that the measure would "destroy" the Neely code and the Brown scrubbing system.

Last links for the proponents were put in by H. A. Cole, present Allied States Association press, and Yamini, his professor, selective buying would bolster the entire industry, not injure it, they contended.

Cole Cites Difference Of Patronage Types

Declaring that the "family trade" is the backbone of the business, Col. Cole conceded there is difference between downtown and neighborhood patronage but insisted that "the American people are a clean people and we don't want to go the way of the legitimate stage, which now is only Broadway." He recalled the early depression years when relief payment was in the doldrums, remarking that the producers additionally a shot in the arm with "world war pictures" which had to be given in increasingly stronger doses until the Legion of Decency stepped in and saved films from "oblivion." He remarked that the exhibitors don't want to suffer a surgical operation again.

Synopsis clause is workable, according to Cole. Exhibitors judge fairly well from an outline what the tone of the film will be, he said, although they'd have to take chances. Texas said the Neely measure "would subvert itself" and a lot of indignation is inevitable.

Bad Variety Suffered

Several telling hits were registered by Cole and Yamini. The Texas exhibitor, citing a Yankee editorial, remarked that "Abe Lincoln" is "being murdered" by affiliated houses which are doubling on the heels of the road-show; Yamini explained how he had cancelled "Blondie" and then been forced to show a C picture for which the rental was jacked up. The most decisive in the Interstate Circuit—Texas Consolidated was offered by Cole as proof that a minimum, baseline price is fixed by the majors in most outlets and that the large chains tell their smaller, subsequent-run competitors, what the scale must be.

Confident that the bill "would be a boon," Yamini disagreed with Cole concerning the most desirable means of setting. The Fall Riverite said he would prefer to buy his pictures one by one; present Allied head preferred "blinds of your own choice" to save time and trouble, besides securing a backing.

Asserting that he never played any film condemned by the Legion of Decency, the Day Stater went into considerable detail about the resolution process. Specific examples improved the lawmakers, who were told that trade practices at the present moment are "more numerous than ever" despite repeated protests over contract terms. Yamini predicted that "if you fail to pass this bill, you will give the distributors the green light to further increase the burden on exhibitors and force them out of business."

The annual statistical resume of the majors was offered as proof that there is no "monopoly" on the exhibitors. Pettijohn asked how the dis-

tributors can be guilty when the number of accounts varies so widely. With a market of 18,000 theatres, recapitulation shows numerous rejections (indicating that contracts are not too tight) and sales of A films to more than the regular customers. Pettijohn interpreted. He added that every film discussed by the Catholics last year was sold singly and unbranded.

McGranery Goes After Hays Org. and Pettijohn

Public-sweeping continued for the remainder of the week with producers leveling the most stinging charge when Representative McGranery, the Philly supporter of the bill, called the "family trade" Hays organization on the carpet for a campaign amounting to "propaganda expenditures, salaries, revenues and the like."

When Pettijohn resumed the stand Thursday (28), McGranery insisted that "I want to know how the organization gets its money and what it does with it." Hays counsel, after considerable squirming, substantiated the tale that day-paying members had kicked in approximately \$400,000 last year—or little more than half of what the take amounted to some years ago. "Doubtless" have been made in the Hays budget, Pettijohn said, including a 20% cut in his own salary.

While Allied and the reformers' groups enjoyed the grilling the Hays organization was given, Pettijohn and other proponents of the bill pulled up their heavy artillery to prove: (1) That Allied represents only a small majority of the independent exhibitors; (2) that reformers are neither needed nor wanted by the industry and (3) that much of the testimony given by the bill's proponents was of questionable value.

Pending anti-trust suit against the industry is not feared by the producers. Pettijohn indicated in response to questions from Representative Walworth, of New Jersey. Majors may be concerned of charges contained in the complaint, he implied, but any decision on the part of the U. S. Circuit Court of Appeals will be welcomed by the industry as a "chart" to guide future conduct.

Hays' Letter

Replying to questions concerning the Hays "policy," Pettijohn asserted that "this motion picture lobby consists of Short New and James Fitzgerald (Washington official), and, on the West Coast, of John W. Bryson, my assistant, and myself."

Committee was told by William F. Rodgers, Metro sales manager, that adoption of the Neely bill would increase unemployment, result in an immediate cut in the studio's production of approximately 25%, and preclude the production of "speculative pictures" of the type which have received much praise in the past few years. Metro would be forced to produce only such films as "we know about," Rodgers said, adding that "they wouldn't be of the Coney Island type, or Alive in Wonderland."

Harry Brandt Pulls No Punches in Airing Views

Appearance of Harry Brandt, president of Independent Theatre Owners Association of New York, proved one of the high-points of the week's entertainment. Two-faced New York exhibitor pulled no punches in telling the committee what he thought of the bill and added plenty of side-comments on subjects not covered by the legislation.

Affiliate theatres are the ally of the exhibitors' movement, Brandt pointed out. Because of their access to first-runs, Brandt said that he was "definitely convinced that the evils of the industry are the fault of the producers, distributors and affiliated theatres," but added that "there is nothing in this bill to cure them."

Committee members listened to the New Yorker with more interest than they had shown during the entire week. Brandt's quality-calling included an attack on double features, which he claimed were "giving the public indignation" and a crack at the inclusion of admission charges in contracts which he described as an "unreasonable practice."

Claiming that Allied did not represent the rank and file of the indie, Brandt said that exhibitors are not suffering from compulsory block-booking because, in the last five years, it has been "completely eradicated." Squawks that the trade practice forces the playing of undesirable pictures are not true, he said, and "60 times out of 100 pictures are

Neely Vote a Race Against Time

Washington, May 28

Consideration of the Neely bill became even more a race against time this week following hints that the House Subcommittee now is going to deny legislative clearance for anything but the most trivial matters. In the hope of speeding adjournment, the group which dictates what business is taken up, was reported to have informed members interested in other subjects that no more special orders will be forthcoming after Wednesday (29) except in unusual situations.

This may not be an insurmountable barrier. If the Committee keeps something else shape by the middle of next week, there still is a possibility a vote could be obtained. Primarily because it will be possible to argue that the Neely proposition already has passed the Senate. Doubtful, however, if the matter could be brought up in any other manner—such as a roll of the calendar, unanimous consent, or by moving to suspend the rules.

Neely Sideights

Washington, May 28.

The House Committee's leading wit, Representative Luther Patrick of Alabama, rang the gong while quizzing Don Ameche. Illustrating the way dueling can be given different meanings by various interpreters and hence, he apologized for his amateurishness and commented: "I may have gotten enough there to have given an actor a heart attack."

While Ameche was being tormented for writing a letter protesting about the legislation, Congressman Clarence Brown inquired: "How did you get my name? I've heard of you, Mr. Ameche, but you never heard of me."

Furn letters that Shirley Temple and Mickey Rooney wrote served some purpose. Brown said his son added "Jr." after dad's name, and displayed them to kids at school.

The hearing was not all one-sided. Charges that Allied prepared a "misleading description" of the Neely measure that was circulated in pamphlets distributed by Pennsylvania women's organizations went into the record.

Presence of Ameche drew a big crowd. Though the large room was only a quarter filled when he arrived, within 30 minutes the stenographers from the House Office Building were lining the walls and standing three rows deep in the rear.

California's Carl Hinshaw, wealthy, bald-headed, husky former real-estate salesman, drew compliments that had a bite to it. One of his outbursts remarked the Pasadena Republican is handsome enough to be a film hero.

Efforts to speed a showdown by afternoon sessions weren't very successful. The pressing legislation was on the floor of the House every afternoon but one. While the House met at 11 o'clock a couple of days, Chairman Lee generally didn't knock off until 1. A quorum call helped Charles C. Pettijohn stretch out his talk, interrupting him before he was half through his remarks and forcing an early recess.

Cancelled because the theatre owner thinks he can't make money out of them, rather than from any moral hesitancy.

Brandt Gave No Exceptions

Not a single complaint in four years, the New York exhibitor declared, as far as his own houses are concerned. He is attributed to the fact that he plays certain types of films in the districts which enjoy that kind of film-fare, sophisticated drama for the amateur New York house, pic of the type of "Prisoners of War" for 12th street, and wholesome pic for the suburban communities.

Neely bill restrictions will "destroy and destroy" the industry according to Herman Wolfer, general sales manager for 20th Century-Fox, and heavy losses incurred from the loss of foreign business will be increased when the superiority of American films is injured to an extent which will shut off the few remaining outside markets. No company would have to increase inventories by from 50-100%, Wolfer said, cost of distribution would be raised 20%, and the public would expect a boost in admissions of from 15-20%.

Last witness of the week was Judge Roy L. Walker, president of the Theatre Owners' Protective Association of Texas, an organization which has been fighting Allied States. Bitterly complaining about letters sent to the Texas Congressional delegation by its rivals,

Detail the Most Booked or Least Cancelled Pix

Washington, May 28

Two bookings of five majors ran from 14,500 to 2,500, according to figures furnished the House Interstate Commerce Committee last week as circumstantial evidence that exhibitors are not required to take all or none. Complete reports were given by Universal, Paramount, Metro, RKO and 20th-Fox.

Best seller this season up to April 31 was "Jezebel," which had played in 14,500 houses. "Union Pacific" was less than a tail-length behind—14,381. Worst clerk was 20th-Fox's "Inspector Marchmont," unveiled only in 1,135 spots.

First and last five for each of the majors willing to list the veil:

20th-Fox—"Jezebel," 14,381; "Ragtime Band," 14,377; "Kentucky," 12,804; "Rob Petrol," 11,317; "Rise of Washington Square," 11,280; "Fanny Hill," 11,271; "Chasing Danger," 8,872; "Meet the Girls," 8,859; "Swing Along," 1,100; "Herdsmen," 1,145.

Metro—"Beggars' Town," 11,128; "Hunchback," 11,128; "West With Honor," 11,112; "Thirteen Fools," 11,107; "Stalagmites," 11,104; "Bridal Suite," 7,104; "Kiss Kiss," 6,889; "Within Law," 6,818; "All Come Out," 5,800; "Christmas Carol," 5,308.

RKO—"Gunga Din," 10,306; "Love Affair," 8,857; "Bachelor Mother," 6,100; "Mad Miss Martin," 5,851; "Room Service," 4,600; "Fighting Groups," 4,441; "Fanny Lady," 3,855; "Well Bred," 3,527; "Conspiracy," 2,710; "Escape to Paradise," 2,683.

Paramount—"Union Pacific," 14,381; "Man About Town," 11,825; "Star Maker," 11,818; "King Solomon," 11,301; "Men With Wings," 11,109; "Threat of Nation," 9,129; "Dark Door Heaven," 5,112; "Drummond, Secret Police," 4,518; "Drummond's Bride," 4,507; "Unmarried," 4,488.

Universal—"East Side Heaven," 8,342; "Smart Girls Grow Up," 8,304; "Can't Cheat Honest Man," 8,280; "Sun Franchises," 2,771; "Tough Guy," 7,640; "Strange Fears," 1,656; "Mystery White Room," 1,542; "Forgotten Women," 2,714; "Inside Information," 2,712; "Aked for It," 2,714.

The "most cancellations" list handed the lawmakers is back up arguments of distributors that, even without the Neely bill, exhibitors are loath to play "class" films, showed:

"Monsieur Madame," 3,872; "Quality Street," 4,237; "Hitting a New High," 4,482; "Great Garrish," 3,389; "April Rhythms," 2,671; "Midsummer Night's Dream," 2,872; "Green Pastures," 1,586.

Last cancellations under 200 were on "Lady Be Careful," "Last Gangster," "Alcatraz," "I Am the Law," "Give Him a Gun," "Jungle Love," "Angels Dirty Faces," "Bright Case of Murder" and a few others along the same line.

WB Brister for Muni

Hollywood, May 28

"High Sierra," adapted from W. R. Burnett's novel, is slated as Paul Muni's first screen job at Warner, following his return from a stage tour to "Key Largo."

"The Life of Bartholomew" has been postponed to make way for the action yarn.

Walker denied that a majority of theatre owners in Texas are for the Neely bill.

Dad of 200 Texas theatres, 80% have signed a petition which Walker has brought to Washington to give to Texas Congressmen, he said.

**EVERY PRE-RELEASE RUN
A RECORD-BREAKER!...**

**3rd SMASH WEEK AT
NEW YORK'S ROXY!...**

**67 OTHER OPENINGS
-67 OTHER RECORDS!..**

**"LILLIAN
RUSSELL"**



RKO Follows Goldwyn Into Gallup Poll Idea on Public's Film Tastes

Long strides toward determining what's going on in the U.S. are expected by the industry as the results of the poll come in. The poll, which was conducted by Dr. George Gallup, is the first of its kind in the history of the industry. It is expected that the results will be of great value to the industry in determining the public's film tastes.

New organization will be known as American Research Institute and will operate from the same headquarters as Gallup's American Institute of Public Opinion at Princeton, N. J. David Ogilvie, assistant to Dr. Gallup, will be in charge. RKO is helping the poll, although it is expected other producers may participate to profit by results obtained.

Samuel Goldwyn recently announced Gallup's interest in film. He wanted a survey made on popularity of double features, for which he offered to pay. Gallup refused but set out to determine if there was enough public interest to warrant a poll at the Institute's expense. He found there was, and announced at a press conference in Goldwyn's Waldorf-Astoria (N.Y.) hotel earlier this week that he would make such a survey.

Gallup, in addition to the Public Opinion Institute, which is supported by syndicates in results to 117 newspapers, runs a private research organization. It is this that will make the survey for RKO, while the Institute will go ahead with the double-feature question.

Gallup's Eye on Future Hits

Gallup indicated in announcing the poll that although it was making the industry willing to interest might not be entirely altruistic. He prophesied that it wouldn't be long before an company made a picture without first calling for a poll to determine acceptability to the public of story and stars. Announcement of George J. Schneider, RKO, prez, at the company's convention in New York Monday (27) of American Research is no doubt Dr. Gallup's idea bearing fruit.

Quill expert declared last week that it had been virtually decided to include in the two-bill survey a query to Joe Public, his wife and his kids on why they don't perform the films more often. From this would immediately develop, he stated, how many admissions are paid to theaters each week. He declared that the answers to these questions were almost a necessity in getting at the double-feature problem. With the additional coin provided by RKO, he can no doubt carry his surveying still farther.

Wrong Estimates

On the question of weekly admissions, Gallup said that preliminary surveys show the \$5,000,000 figure was generally accepted by the industry to be way overboard. Quill estimate, he said, is between \$2,000,000 and \$3,000,000. The \$5,000,000 is quoted by the motion picture division of the U. S. Department of Commerce as coming from the Hays office, and while the latter took the figure, it admits it is just a rough estimate and anybody else's guess of

THEATRE REALTY MAN BUYS EDISON STUDIOS

Edison Studios in the Bronx, sold last week by reps of the Edison family, is being reestablished for production of commercial, industrial and educational pictures in the 16 and 28 mm. fields. Purchasers were Jacob Levy, New York theatrical real estate operator, and his two sons, Leon and Mortimer.

Levy built a number of theatres in Brooklyn and was associated with William Fox for 15 years in operation of several houses. He has never engaged in production before, however.

Studio was erected in 1915 by Thomas A. Edison. It is four stories high with 12,000 square feet of space. It was operated during the World War by other interests, but later reverted to the Edison family. It has been used off and on almost continuously for commercial shorts and some colored and Jewish features.

Eastern P.A. Guild's Drive

Making a drive for a reconverted front in the east, the Screen Publicity & Advertisers Guild bombarded all home offices during the past week in an effort to get non-members of the Guild to attend the Monday meeting (27) to "see how our Guild operates." Mimeographed letter sent to publicity, advertising and art workers was unsigned. Stated yesterday a 12% increase in membership resulted and that all P.A.'s are now represented.

At the Monday (27) gathering, the Guild passed on the proposal for affiliation with the Coast Screen Publicists Guild and discussed a report on contract proposals to be made in the week.

Decision has been reached to hold a joint convention of the two Guilds to set up a national SPG. Date not yet set.

SPAG reported that "the work done to date has been hard to the future of the Guild, which is now assured."

anything from \$5,000,000 to \$10,000,000 might be equally accurate.

Gallup declared that his survey so far has shown pretty conclusively that there are 20,000,000 to 25,000,000 people in the country who go to theatres once a year or oftener. Also that there are 25,000,000 people financially and geographically able to attend films who go five times a year or less. It is this tremendous group, the poll expert said, to which advertising and publicity and the right pictures must be aimed.

About 25,000 people will be queried on double, he estimated, emphasizing that the number doesn't count so much as a racial cross-sectioning of the type persons asked. Gallup polls have had an average error of only 2% in forecasting political elections and get their closest score, an error of 1/4% with only 2,500 interviews in the Dewey-LaFollette election in New York state.

Guilds Fight

Continued from page 1

Howard B. Philbrick, general manager of Central Casting.

"Screening methods of filling extra jobs are not justified when such care is given to planning production. Under our present method each actor develops into memory contests. When a studio calls at 8 a.m. for 250 men and women to report at 8 a.m. there is no time for selectivity. It is just a matter of remembering this person and that one. With a working script we can study the talent requirements, go to our film which we are building up as rapidly as possible and prepare for the call days and sometimes a week ahead. We will know the number and type of extras required and there will be time to really weigh talent and suitability.

Negotiations got under way this week between Central Casting and the American Federation of Office Employees, which claims to represent a majority of workers at Central. Percy Elms Gaudin, of the AFGE, is demanding a closed shop agreement, a minimum wage of \$25 per week for clerks, and a minimum of \$75 week for top casting directors.

The State Assembly took a crack at Philbrick, but a resolution passing the Producers for a publicity announcement in connection with his appointment died when the special session adjourned until December. The resolution provided that the Assembly vigorously condemn any action of those officials of the motion picture industry who were parties to or associated with release of publicity designed to create public impression that Howard B. Philbrick had rendered good or valuable service to the State of California. Philbrick resigned as State Director of Motor Vehicles after accepting responsibility for a discrepancy that had been placed in the hotel room of the Assembly speaker. He had held that job only a short time, following his resignation from the Department of Justice.

WB 6-Mos. \$1,518,497
Net: \$147,391 Under '39

Warner Bros. net operating profit for the 36-week period ending Feb. 28 last dipped only \$47,391 below that of comparable period in 1939. Report issued Monday (27) showed net of \$1,518,497 for the first half of the new fiscal year as compared with \$1,665,888 net in the corresponding 36-week period last year. Before deductions for amortization and depreciation of properties and Federal income taxes, the company actually showed net of \$4,734,767.

The net profit, after all deductions and allowances for current dividend requirements on preferred stock, amounted to 25c. per share on 2,761,000 shares of common outstanding. Report revealed that the company is in arrears \$20.00 per preferred share as of March 1 last.

Warner's gross income was off about \$1,487,000 at \$26,728,842, after eliminating inter-company transactions. During the period covered by the report there was a net profit of \$147,391 made directly to earned surplus.

NW ALLIED PLANS TO PAYROLL AN EXEC SEC

Memphis, May 28. With President W. A. Ruffalo ill and on his month's leave, Northwest Allied Independent exhibitors body will employ full-time executive secretary at a substantial salary to run it. Those being considered for post are Ben Aikin, Berger Street's general manager; Harry Sherman of N. Y. City, one-time Goldwyn union head, later with Paramount Theatre circuit in this territory and presently state-right film distributor; and Charlie Weiner, who just has stepped out as Minneapolis branch manager here. Directors will decide on remuneration to submit to convention here later part of month. Plans are to make organization all-inclusive and to increase its activities.

Disney Feature Not On RKO Shed; 18 Shorts Set

Attest from the announcement of RKO's 1940-41 program made at the company's convention in New York Monday (27) is mention of a feature-length cartoon from Walt Disney, although the post-and-inker is expected to have "Bambi" completed by next January.

But Horne, Disney's eastern rep, declared the cartoon was made because he had with RKO for release of the cartoon but been made. These deals are negotiated separately when the pictures are nearer completion, he declared. Despite vague talk at various times that Disney would discontinue releasing through RKO, Horne said no inference should be taken from the slowness of "Bambi" in the announcement. He admitted, however, "anything might happen."

Disney shorts, at any rate, will again be released through RKO, distributing company announcing in for the coming season. Next Disney full-length feature, "Fantasia," which will be completed by September is definitely not going to RKO, although this is a somewhat different case from "Bambi" as it requires special projection equipment which will be provided by Disney to theatres chosen for roadshowing.

Disney is turning over characters into his shorts program for the next two years to cooperate with Mickey Mouse, Donald Duck and the other old relatives.

Company has moved all departments into the new studio in Burbank. It still has 12 shorts to wind up the 1939-40 production slate for RKO release.

Disney Unit Heats

Hollywood, May 28. Walt Disney Productions, Inc., declared a dividend of 27 1/2c. per share, payable July 1, to shareholders of record on June 15. It is the first dividend to be declared since the new Disney corporate setup on Jan. 1.

Rep's Four Regionals

Hollywood, May 28. James B. Granger announced dates for three regional Republic sales conventions to follow the opener to San Francisco today (29).

Second session goes to Memphis, June 4-5, third to Chicago, June 6-7, and final to New York, June 11-12.

H'wood Needs

Continued from page 1

later on start to take a higher percentage of patronage away from the steady charging fanfare advertisements, because of a general tightening of the theatre-going budgets.

Complete change in the distribution outlook in England and France, as result of the Nazi blitz of the past 18 days, is prompting industry officials to further realize production plans. While more optimistic executives hope that a business boom of considerable dimensions result from Roosevelt's preparedness program, majority of top officials and foreign executives are more sure that the future outlook for steady revenue from the highly profitable British market is at glance at the present Allied military position.

There is growing conviction in the trade, something tipped by foreign executives for some time, that the foreign market ultimately is drying up for the American film industry through no fault of the people in the business. While material reinforcement was made by many companies months ago as different countries began freeing portions of distribution could profit in the foreign market, the serious threat to actual theatre operations in Great Britain and France, coming on the top of losing several European nations entirely, has prompted further re-alignment demands.

With the distribution setup today pared down to the minimum, additional pruning of production costs seem certain. One foreign chief last week, who did not want his name mentioned in any production controversy, claimed that production no longer could be wedded to big income expectations from outside the U. S. And the sooner this was appreciated, the better for the whole business.

Check this week reveals that, in addition to the WFC plan freeze in Great Britain and likely in France, American companies have completely lost the markets in Belgium, Holland, Finland, Norway and Denmark besides other takeovers by the Nazis previously in Czechoslovakia, Austria and Poland. Remittances still are coming through from Sweden as business continues. Additionally, Australia and New Zealand have frozen part of rental and 50% in Asian territory and 40% in the latter.

It also was revealed that Estonia, Latvia, Lithuania, Yugoslavia, Bulgaria and Turkey are partially frozen as far as film rentals are concerned. All French territorial possessions such as Morocco, Algeria and Tunisia would have currency restrictions patterned the same as France, it was predicted in N. Y.

Studio Worker's Weekly Average Better \$43

Hollywood, May 28. Weekly payrolls for studio workers, exclusive of executive and talent, reached an average of \$58,678 for April, a gain of \$2,518 over the weekly average for March. Figures released by H. C. Carrasco, state labor commissioner, show that the money was paid to 12,225 workers who averaged \$43.28 a week.

Weekly earnings were 12.5% higher than those of April last year, with 12.5% more employees at work.

KELLY and ADLER

Of the famous Yacht Club Boys take pleasure in announcing their association with

La Hiff's Tavern

158 WEST 48th STREET

NEW YORK



THEY GO HOME TOMORROW...

For three days, 251 men from every part of the world have been meeting in New York's famed Waldorf-Astoria.

They have been discussing and planning serious business — these men of RKO Radio Pictures — and now they know that this is going to be the greatest year in their history, because their company will deliver during 1940-41 the finest quality product they have ever had to sell!

And they know that one of the big boxoffice items they will again be selling this year is *The March of Time* — a *feature attraction* 13 times a year!

For with foreign wars and domestic affairs commanding the attention of every American,

The March of Time enjoys its greatest demand *ever* in this history-making year of 1940. It is the *one* screen feature that compresses the world's biggest, most significant news into complete, understandable, sense-making stories!

Mindful of the great boxoffice issues which *The March of Time* has delivered during the season just closed, the men of RKO know that during the coming year they can again offer U. S. exhibitors 13 *feature* attractions!

"In momentous times like these, no showman can afford to be without *The March of Time*." That is what exhibitors will hear from the RKO men — when they go home tomorrow!

GUNS (FOR SPORT) ON RADIO

WSAY Fights Telephone Company

Refuses to Service Contest Stunt on Claim Regular Calls Hampered in Rochester

Rochester, N. Y., May 28. WSAY is battling the Rochester Telephone Corp. over rights to service for returns on air contests. Station had 18 extra lines for Pepsi-Cola game Tuesday nights and Wegman Stores contest Friday nights. Phone company, forced to increase its working force on those nights and still unable to handle the thousands of busy signals, claimed its regular service was tied up and as a result the extra lines.

Officials of WSAY tried to circumvent the ban by sending 19 girls and a supervisor to the public pay phones at New York Central railroad station to take returns on Pepsi-Cola game. Numbers were announced over the air, together with a list at the phone company. When the contest returns came in, phone officials quickly got wise and stated the lines were out of order.

Gordon P. Brown, owner and general manager of WSAY, rushed to Albany to enter complaint before Public Service Commission. Hearing is slated for Rochester later, he reported, but meantime station was forced to cancel the Wegman contest Friday night. Station officials said Wegmans have no present plans for substituting any other program for the contest, which provided money prizes for finding items in stores, newspaper ads.

BULOVA ON 179, ALL-TIME HIGH

Bulova station list last week went to a new high. It added four more outlets, making it 179 stations now using the Bulova tag on time signals. The high for any year prior to 1940 was 162 stations.

WGST, ATLANTA, SHOW FED TO 17 STATIONS

Atlanta, May 28. 'Cantalberry Caper,' variety show originating at WGST here, is fed to a special hookup of 17 stations in four states. It's sponsored by Cantalberry food and Macnamar-Rhodes is the agency.

Series is produced, written and directed by Dan Mayne, who also plays three characters. Other talent includes Dan Hershey, Frances Miller and Carly Hicks' orchestra. Frank Galtier is m.c. There's a weekly single contest, with radio sets and watches as prizes.

'Career of Alice Blair' Now Waxed in H'wood

The heroine 'Career of Alice Blair,' McCann, Erickson's recorded daytime serial, added a new chapter to its complications last week. Production was moved to the Coast to permit Martha Scott, currently making 'True of Life' at Columbia, to continue in the title part. Carleton Allport, director of the serial for the agency, planned to the Coast to handle it there.

Program was formerly waxed in New York, but for the last several months that has involved considerable shuffling around for Joseph Cotton, one of the leads. He's in 'The Philadelphia Story' with Katharine Hepburn, and when the lighter went on the road he committed by air to New York to record the program. When 'Story' got to Chicago his voice was dubbed into the master in New York. However, 'Story' will open on the Coast soon, as Cotton will be back with the cast in person.

'Alice' runs Fox, NBC and Decca; & Rembrandt commercials in 19 major cities, with WOR the New York outlet.



JAN COSTLEY

Emcee of "Mid-Thursday, I.A.A." daily half-hour participation show on WYAT, Syracuse, a program instantly well liked with sponsors. Versatile and adaptable, Jan handles WYAT's four programs, plays, and conducts International Harvester road show in Syracuse town. Extensive entertainment background the key for almost any day before a microphone.

NED MIDGLEY NOW RADIO BUSINESS MGR.

Ned Midgley has been given the title of business manager of R.B.D. & Co.'s radio department. He'll still have supervision over all time buying, but the details of this operation will be spread out more among his three assistants.

They are Marion Hayward, Chet Haythorn and Joe Horvath.

'MOON MULLINS' ADAPTED

CBS Adaption with Paul Stewart, Eastern WYAT, Junior O'Day, Others

CBS has a new five-a-week serial, 'Moon Mullins,' based on the newspaper comic strip. Has already held auditions for a couple of sponsors and will probably submit it to other prospective sponsors. Brewster Morgan is directing, Garret Holliman is scripting.

Cast includes Paul Stewart in the title part, Junior O'Day as Gray, Eastern WYAT as Lord Plunkbottom, Minerva Pines as Lady Plunkbottom, Joe Latham as Uncle Willie and Hope Emerson as Mamie.

John L. McManus Dies

Hollywood, May 28. John Lynn McManus, 34, radio scripter, died May 28 in his Hollywood home after an illness of three weeks. His health had caused him to withdraw recently from the Rudy Vallee-Sealed show. Previously he was with the J. Walter Thompson agency as a writer on the Vallee-Sealed Brand and other shows.

Prior to joining Thompson, McManus was with Fox network. Surviving are his widow, his father, two sisters and two brothers. He will be buried in New York.

(Not to be confused with Jack McManus, the radio editor.)

El Paso's KROD Starts

El Paso, Texas, May 28. KROD, which takes to the air here on June 1, will be operated on a full time basis with 124 watts on 1,360 kilocycles. Station is affiliated with the El Paso Times.

Will also join Columbia Broadcasting System as an outlet, making it the web's 119th.

Major Sidney Hodge, of WBIG, Greensboro, N. C., will be host to the NAB's at the fourth district where they meet in his town this Saturday (31).

WILD LIFE CARE IS THE MOTIVE

Manufacturers of Rifles and Ammunition Combine in Cooperative Educational Campaign—No Trade-Marks to Be Mentioned—Two Agencies Divide Account

SET FOR SPOT

Something new in cooperative advertising by radio is the campaign which the manufacturers of sporting arms and ammunition plan to put on this fall. As the project now stands it will be a series of quarter-hour spot programs at the rate of two a week. There will be a minimum of 18 stations. Starting date is Sept. 1.

The program will be strictly informational in that there will be no plugging of any of the participating manufacturers' products. The program will undertake to foster an interest in wildlife restoration and will be supervised by C. B. Bissett, an authority of the subject, who now heads the Department's Service Bureau of the Sporting Arms and Ammunition Association. Members will be made of such sports as trap-shooting, skeet-shooting and target-shooting.

Another angle about this campaign that is different is the ad agency tie-up. The placing will be split between two agencies, R.B.D. & Co. and D'Arcy.

About six months ago there was an attempt made to get a program on the air of similar but without open sponsorship. Stations were asked if they would take such informational programs under regular rates but with mentioning the source. The organization behind the campaign was of the impression that the idea of wildlife restoration and sports shooting could be made more effective if presented this way, but stations reminded the inquiry that there's an FCC rule which requires the sponsor to be identified with a program.

Shirley Booth Into New NBC Comedy Sustainer

Shirley Booth, who played in Chicago last week in 'The Philadelphia Story,' has the featured lead in 'Strictly Business,' weekly 15-minute light comedy sustainer starting Friday (31) in the 8-8:30 p.m. slot over NBC blue (WJZ). Known as Estrlin and Howard Brindin scripting.

Wilder Roberts is producing. Lester O'Leary directing and Paul Laval using the minimal bridging.

'A Lively Sense of Favors to Come'

New York Stations Lavish in Free Time Donations to New No-Advertising, Radio-Plugging Daily

P.M., the New York daily which makes its debut June 18, may go on for a spot announcement campaign on all major New York outlets, but in the meantime it's getting a mass of loyal stations and network plugging on the cuff. The half-hour job, handled by an office of radio press agents, has entailed special events (concerts, make appearances with PM staff members and talks on current topics, such as the one PM's editor and publisher, Ralph M. Ingersoll, aired over CBS last night (Tuesday), 'Radio and the Press in War').

The sheet's outside press agent figures that with the Ingersoll-CBS

Nicotine Percentages Okay With CBS

Luckies Will Not Identify Other Brands—They'll Be Alphabetically Designated

Hospital Faves

Montefiore Hospital for Chronic Diseases in New York is authority for the statement that radio is tremendously important in rehabilitation of patients with lung diseases. This hospital's patients remain an average of six months or longer. Radio keeps long-sick patients minds healthy.

Stations were recently polled on what radio programs they liked best. 'Information, Please,' NBC's town hall, Lux and Francis Drive were top picks.

PRISON TERMS FOR HILLBILLY AND WIFE

Pittsburgh, May 28.

Ten and Ginger Harrison, known as 'Ten and Ginger' to radio audiences and 'The Radio' hillbillies to local police, were given prison terms here last week when they pleaded guilty to a series of charges. Ten was sentenced to serve three to six years in Western Penitentiary and his wife was sent to the Pennsylvania Industrial Home for Women for an indefinite term.

Harrison pleaded guilty to two monthly charges brought by two girls who had been frequent visitors to the couple's roadside night club. Ginger pleaded guilty to a larceny charge filed when she fired a revolver at Ten while they were in the county detainer headquarters last December. Police said they found obscene articles and literature when they searched the couple's trailer after the shooting. At that time, she threatened the fact that her bullet had missed its target and promised: 'Next time I'll make a better job of it.'

Omaha May Repeat

Omaha, May 28.

Nettie Crane Allen, George Burns or any member of their company who featured Gracie's convention and Golden Rule days here last week, received a dose for their services. Morris Jacobs, chairman of the event, declared in answer to a general query. Jacobs said the Burns and Allen show came on directly for expenses only. Of course they got plenty of nation-wide publicity via radio and newspapers.

Looks now as if the event had vitality enough this year to call for a third celebration next season, although what the Post-Radio will label it, now that Gracie has been nominated for president, is still a matter up in the air. Opening of Missouri River traffic suggested as a sparkling.

Columbia's upper powers have agreed to permit Lucky Strike to exploit its latest sales angle, minimum percentage of nicotine, over that network's facilities via the 'The Parade.' Following a complaint delivered from Chesterfield, also a major CBS customer, the network's officials called in American Tobacco Co. to discuss the advisability of comparing the toxic poisoning of competitive cigarette brands on the air.

The new Lucky sales copy claims that its product contains less nicotine than any other cigarette on the market. The percentages of other brands are also to be mentioned, but the designations will be merely alphabetical.

Lucky's spot campaign is now spread over 62 stations in 21 markets. So far it hasn't been extended beyond New England, New York, Pennsylvania, New Jersey and Delaware.

EVERSHARP TO USE 50 ON CBS

Eversharp Pen & Pencil has placed an order for 50 stations, effective Sept. 1, for the 'Take It or Leave It' quiz which started on CBS several weeks ago.

What the account has now is a split network of 27 stations.

WBZ-WBZA SIAMESE TWINS MAY BE CUT

With the shift of WBZ, Boston, to the NBC-red link some time in 1941, if not before, Westinghouse may separate WBZA, Springfield, from its siamese relationship with WBZ and obtain a new frequency for the latter so that it can become part of the blue network.

While this project is still in the idea stage, its materialization is regarded as a natural in the trade. Circumstances that WBZ, Hartford, an red affiliate, pumps its signal up along the same wave as WBZA, and vice versa, is expected to call for some readjustment of WBZA's status when the network switch of WBZ takes place.

Columbia Records Trying Air Musical Quiz Next

Columbia Records last week auditioned a musical quiz-radioshow with which it may return to the CBS network. Recording outfit was on the air for a time last Fall with a program which guest starred a different Columbia Recording band each week. Since then it has been searching for a replacement.

Program tried out used the Raymond Scott orchestra, Mary Jane Walch, singer, and Warren Sweeney as announcer-m.c. All, including members of Scott's band, took part in the musical quiz.

AL GOODMAN SET

Emory Baker on Summer, Also Regular, Texaco Program

Texaco will retain Emory Baker, Francis Langford, David Friedman and Jimmy Washington from the Hollywood end of its present Wednesday night series for a half-hour summer show, starting July 1. A musical commentator will likely be added to the cast.

Kenny is also set for the Fred Allen stars which take over for Texaco Oct. 1. Al Goodman has the banjo assignment on the fall show. There will also be a vocal trio quartet.

Bernice Yanacch

Pauline Hopkins

Gertrude E. Pys

Irna Phillips

We who have worked with you through these happy years salute you — not only as a brilliant writer but as a grand person.

Owen Vinson

Harvard J. Keegan

Catherine Brennan

Ruth Braden

Arthur Berg

Rose Cooperman

Samuel Siskin

To Irma Phillips



... on her 10th Anniversary in Radio

It has been a great privilege to
work with you through most of
these years. As a writer and artist
... as a business associate ... and
as a real friend ... you're tops!

Carl Wester

THE WOMAN IN WHITE



THE GUIDING LIGHT

The scene is a smart restaurant--
It is a large gathering of people that
has met to pay homage on this day to

IRNA PHILLIPS

a swell gal who--they all know--have
known--is one of the greatest person-
alities and writers in Radio.

Coffee has just been served--cigar-
ettes lighted--the roll called--and as
we listen in we hear:

Luise Zarckay Arthur Kohl Betty Arnold Ed. Pringle
 Paul Butter Spetance Crowder Donald Knasty Arthur Cullen
 Karl Weber Harry O'Brien Louis Rosen Ruth Barclay
 Sam Wasserman
 The Elder Betty Ruth Smith Bill Bailey Betty Winkler
 Harold P. Jackson Ken Griffin Nancy Daigless
 Seymour Young Leo Carley
 Emma Parnell
 Henrietta Feltz Regan Schuler Elaine Kummer Wally Saitz
 Charles Butler Reese Taylor Susan Shaw
 Lucy Woods August Fuller Robert L. Griffin
 Bob Bailey Joan Winter
 ROAD OF LIFE THE RIGHT TO HAPPINESS



☆ The Guiding Light

☆ The Woman in White

☆ Road of Life

Congratulations

to IRNA PHILLIPS
for past achievements
and best wishes for
her continued success.

Sidney H. Strotz

Vice-President, N.B.C. Chicago

She Knows Her P.'s & G.'s

By DAN GOLDREICH

Chicago, May 28.

There are, apparently, certain rules which guide Iren Phillips in her other writing, certain philosophies, certain outlooks and certain predetermined viewpoints on the tastes of the American woman listener. Together, they make up the technique or recognizable in an Iren Phillips show, and are different from the technique of other serial writers.

In the majority of cases, it would seem the boys and girls who write strip shows plot on all the horizons can be dumped in on Friday, figuratively tie the heroine to the railroad tracks, and write the tag with a "won't-hold-the-stapes-until-Monday attitude. Not so with Iren Phillips. She doesn't believe there's a single day in her audience. In fact, for 15 years she's offered a reward to anyone who'll bring into her office the Mrs. Average Housewife everybody's always talking about.

As far as Mrs. Phillips is concerned, her audience consists of just people, the kind you meet in a living room or a doctor's office, and are, therefore, interested in romance, babies, and, above all, their relationship with each other, and set in North Pole-bound cutters, skis, sleds in expedition work, or phony flasks with designs on little Nora.

Even before the AFRA strike, even before her rise to the point where she was able to sell programs as a package, the Irma Phillips script seldom used more than two or three characters per episode. In contrast to others which had from five to nine. That's part of the Irma Phillips technique. In contrast again, where others have bawdy settings and action plots, hers have clouds

staging and a simple story to sustain them.

They usually consist of a couple of characters sitting in a living room, greaser's study or a doctor's office discussing a simple problem which confronts average people (people as average as the audience). The discussion is calm, thoughtful, and interpreted with much of the so-called "lower" philosophy.

But more than all this, there is indicated in these Phillips an intuitive sense as to what will go and what will not; what characters will hold and what characters won't, what situations will gather audience and what won't.

No character ever solves the maze unless he is a type people meet every day in everyday life. How successful this much of the technique is can be ascertained by the mail written and answered directly by the character—letters that ask or give advice and indicate in every way that they are from a friend to a friend.

Characters Do Nothing

When an especially wise character is developed in one of her shows, Drew Phillips has no compunctions about letting him walk into the living rooms of another show, still in his same character, and carry on there as well as in his own spot. Rather than resulting in confusion as might be expected, the character becomes more real, even a greater friend to the listener. The audience which heard him yesterday in his own office, hears him today in another friend's sitting room, recognizes him, greets him, welcomes him.

Situations parallel characters in effect. Both are familiar and usual

in the lives of the listeners, and situations, especially, are composed of those things which Iva Phillips evidently believes concern her audience most.

Her belief is that the woman belongs, at home, is interested primarily with the home and all that it stands for; that a woman's primary urge is to build securely for herself a haven, a home, which means a husband, a family, friends and a mode of living—all crammed up snugly and comfortably into a tight little hall with the woman as the busy center of the complete secure little world.

Going farther, Miss Phillips seems to believe that the serial which is built around and discusses the various factors which may attack the well-being of a woman and her home will be listened to. The success of the shows written around such a theme may well help prove that such is the case, that the perhaps uninvolved but nevertheless real desire and aim of the average woman is to build a compact little world; certainly, it proves she is intensely interested in any factor which might tend to break into it.

First Week Action

There is no great amount of action in an *Irish Phillips* script. A situation is developed, one which might confront any woman in the audience, indeed, if it has not already—the threat of the other woman or the other man, drunken slavery, children, or childlessness, for example—and the characters concerned discuss philosophically all that can be done about it, good and bad. The situation is then cleared up in the best possible manner, right triumphs, and another situation moves into view.

There are numerous production tricks in the technique, too. Thought comes first after the tag, before going into the show; the sound man impresses the words of the actor into the listeners' minds, instantly; a character sitting quietly in his or her room, thinking, while the voices of other characters repeat some particularly poignant advice they have given previously; poetry at the opening of the show, philosophical statements by the leads, or musical

Ira Phillips began her writing career with "Painted Dreams" for WGN, a show she wrote for two years. In 1955 she published lyrics to NBC and WMAC for whom she turned out "Today's Children" which ran for six years.

ACTOR ROLL CALL

(Those listed below are employed, or have been employed, on the various dramatic serials of Irna Phillips' authorship. The alumni extends back 10 years, always in Chicago.)

- [illegible]

Irma Phillips As Big Business

By RAY WILSON

Chicago, May 26.

Ira Phillips writes and the scripts move on—through the recording department, through rehearsal, through telephone lines to hundreds of stations, through millions of home receivers. Along the path of this modern phenomenon are the farms and the homes and the automobiles and the taking of the scripts, the literary aides, the salesmen, the secretaries and the others who are part of the Ira Phillips empire of perpetual motion. The farms and the homes and the automobiles and the babies are the shining signs of staff prosperity, the by-products of one of radio's unique institutions. This Ira Phillips, now 28 years a survivor, is the creator of a reliable source of supply for a seemingly endless demand for good, solid, daylight humor. It is the voice of soap. Good soap, pure soap, busy soap, Frowie & Gamble soap, Doc Smither's soap. God, how the soap is the

In the acting field since she's been responsible for the employment of some 400 performers during the past several years. Those under contract receive a couple hundred dollars a week, more or less; those that aren't, average anywhere from three or four dollars a week down to one and two a month. There are \$100-a-week writers who work under her close supervision (for in an Iron Phillips contract she's given the right to have help in the writing as long as she herself takes the responsibility for the show's success or failure).

Both CBS and NBC give thanks—or should—that Iren Phillips was the youngest of 10 children brought up by a widowed mother; that the mother had a strong, money philosophy and taught it to her daughter. They're thankful the daughter pushed on through the university to get a master's degree in psychology. They're thankful that the girl, by one means or another, saw fit to combine the philosophy her mother taught her with the knowledge of people psychology gave her. If she hadn't, there might have been a few million dollars less worth of network time sold in the past 10 years.

It hasn't always been this way. Not long ago, agency men laughed at the idea Phillips chose as to what would entertain women listeners. They knew all about women. They'd read women's magazines, they'd talked to gals at bars. South Sea Islands, Dubai, Canada, Adventures, Richard Halliburton—that's what entertained women, not problems about some fictional Fannie's child, not some maiden wedging in between the happiness of an ordinary husband and wife.

Carl Wester Starts the Show

The agency men don't laugh now. They call Ima Phillips up and ask her, please has she a show available. Carl Wester answers the phone. He is polite, but not over-theboard. If Ima Phillips has a show available, if the sponsor is suited to the show, if the right time for the show can be cleared, if a lot of other 'ifs,' then Carl Wester lets the agency have the show.

They became associated in 1922 when Warner, then with Chicago NBC, started Ives Phillips' 'Today's Children' on the beginning of its six-year run. They've been together ever since, Warner now having his own program series, handling Ives, Phillips shows.

Irene Phillips is too good a businesswoman not to appreciate her need to remain detached, sheltered, famished in the care of a trustee. It's a little like the Kate Smith-Ted Collins set-up.

Just how successful the Phillips-Warner office is in terms of C.A.B. ratings remains to be seen.

She has four top-ranking shows on the air now. She held the top daytime slot with her first network show for five and a half years.

What Mrs. Phillips has accomplished is summarized in the table below. Hints of how she does it are enclosed in the accompanying article by Dan Galtberg. Longevity and staying power are characteristics of her show.

Program title	Times	Number of scripts
"Painted Dreams".....	1 year, 3 times a week.....	870
"Thoughts for the Day".....	26 weeks, 3 times a week.....	78
"Today's Children".....	6 years, 3 times a week.....	1,800
"Mangrove".....	26 weeks, 3 times a week.....	110
"Ridge Hunt's Welcome Valley".....	Half-hour script.....	110
"Judy and Jane".....	1 year, 3 times a week.....	200
"Mr Brown's Patch Work Game".....	Nearly a year, 3 times a week.....	212
"The Guiding Light".....	2 1/2 years, 3 times a week.....	216
"Land of Life".....	3 years, 3 times a week.....	280
"Women in White".....	2 1/2 years, 3 times a week.....	250
"The Night to Happiness".....	6 months, 3 times a week.....	130
Antiques and miscellaneous scripts.....		200
Total number of scripts in 10 years.....		3,000

WBEN, BUFFALO, SEEKS SCRIPTS

Editor, Vantage

Can you give me any ideas to any help on this problem? We have a half-hour a week devoted to local dramatic production, and have developed some fine actors, some have made big time in New York and Hollywood. However we have used the best scripts we could get from NBC, Writer's Laboratory, Lasker or Hollywood, and Radio Events. We have managed to get these scripts for around \$15 to \$25 royalty, which is just about tops out of our budget. There must be a number of good writers around New York who could want \$100 and up for a good script. This is high for one station, but the writers could make themselves more money with less effort by selling original scripts to a number of stations at low cost (just about what we have been paying, \$15 to \$25 per use) rather than low sale here and there at a high cost. In other words, as a syndicated sale, more revenue for the writer at less cost to the individual station.

We have just about run out of good, acceptable material from the sources I have mentioned. Do you know where we can turn for a new source of supply? I will appreciate any help or suggestions you can give.

Edgar H. Turek
Director, System Wide

Wallace E. Wagstaff, Commercial Manager of KJTL, Salt Lake City, elected President of the Salt Lake City Advertising Club.

SELL BOXTOPS FOR CONTESTS

Waldo Hospital Of Seattle Is Loser to CBS

Washington, May 28. Satisfactory ending to the case of the State of Washington versus Columbia Broadcasting System was reached Monday (27), as far as the network was concerned, when the Supreme Court of the U. S. announced that the issue had become "moot" and issued the whole matter back into the lap of the Supreme Court of Washington for appropriate action.

Highest bench reversed the judgment of the Washington court in the case between CBS and the Waldo Hospital Association, Inc., of Seattle, which a year ago asked \$35,000 from the chain for allegedly libelous remarks carried over the telephone wires. All efforts of the case to escape through the argument that, in the process of relaying any broadcast, the parent transmitter is not responsible for out-of-state misstatements were nullified at by the Supreme Court for Kings County and the Washington Supreme Court.

State tribunals upheld the claims of the defendants under local statutes that suits against a "foreign" corporation or non-resident can be serviced on any agent, supplier or managing agent. Interpreting the law to include CBS, although the chain insisted that it did not control the offending station—KIRO—and that the telephone company did the actual work of transporting the broadcast which was demanded.

KIRO was described as legal representative of the web by the Washington courts, since it "transmits" to CBS, Columbia, as the other

ASCAP BOARD MEETING

Contracts Will Be Mailed Soon to All Broadcasters

Board of directors of the American Society of Composers, Authors and Publishers will meet this afternoon (Wednesday) for the purpose mainly of approving the new contract terms for broadcasting stations and network.

The contract forms will be mailed to broadcasters the early part of next week.

ETHYL UNDECIDED ON FALL PROGRAM

Ethyl is not picking up any options on the Tuffy Martin-Andre Kautzman show for the fall season. It isn't decided whether it wants to do any network broadcast at that time.

The present Ethyl series (CBS) expires with the June 24 broadcast.

WPRO Goes 5,000-W

Providence, May 28. WPRO went to 5,000 watts Monday (27), which makes it the highest powered outlet in Rhode Island. Four years ago WPRO was operating at 250 watts.

band, stated that this assertion was in violation of the due process clause of the Constitution.

By its action Monday, U. S. Supreme Court virtually wound up the case in favor of the chain. Recommended the case to the Washington Supreme Court for work proceeding as by that court may be deemed appropriate without need to either party. The case has "become moot," according to the higher court—which is a polite way of saying it's all over.

FIRM SUPPLIES THEM IN BULK

Cheaper If Entrants Stock Up 'Between Contests'—Service Also Gives Advice on Best Way to Play the Probabilities

SALVAGED?

Radio contests with money and other prizes have been responsible for the development of a new type of business. It's a central source for any and all sorts of box-tops, wrappers and labels. Participants of these contests don't have to buy the products now to get the box-tops, etc., which are made conditions of entry, because the new service, inspired by the contest rage, actually can furnish such prerequisites in wholesale lots.

One of these ventures is Eggleston Enterprise, of Milford, N. Y., which reaches prospective consumer-combatants through handbills distributed in small communities. A replica of one of these handbills is carried in an adjoining column. One of the interesting things to be noted about this handbill is the price distinction for box-tops, etc., "between contests" and "during contests."

Staff lawyers for advertising agencies are of the opinion that ventures of this sort are legal, providing the box-tops and wrappers are not printed facsimiles, since such unauthorized reproductions would be in violation of the copyright law. The agency trade figures that these enterprises

(Continued on page 35)

HOMERGARTEN OFF WBBM

Chicago Station Will Have New Musical Conductor

Chicago, May 28. Columbia-WBBM here is studying to switch musical conductors, and has given six-week notice to musical director Carl Hogengarten, who has been with the organization for several years.

His successor, Columbia-WBBM program chief here, is considering replacement from list of half-dozen possibilities.

SELLING POTTERY TO CONSUMERS DIRECTLY

Cleveland, May 28. The General Consumers Corp., planning a selling campaign which will go direct to consumers via radio, has contracted with WOL-WCLE for programs on each station beginning June 2. Contract is for 12 weeks and both programs will run 15 minutes with WOL getting morning spot and WCLE set for noon hour show. Summer has agreed on recordings for WCLE. Talent for WOL show has not yet been selected.

Direct of direct sales to consumers will be pottery and pottery.

Emerson's War News Preceding R. G. Swing

Emerson Radio is contemplating a spring and summer campaign to plug its portable sets. Warren Lightfoot, the firm's advertising manager, and Paul Moore, radio director of the Buchanan agency, are considering sponsorship of a nightly 15-minute news roundup from Europe, over WOR-Mutual immediately before Raymond Gram Swing's presidential election.

Emerson is a new Buchanan account.

'Pot o' Gold' On Blue, New Turns Red Show

Even though the "Pot o' Gold" is being shifted to the blue network June 13 (Thursday, 8:30-9 p.m.) there is retaining its Tuesday night slot on the red network for another Friday night dance, "The Treasure Chest." The Pot will continue to give out away via telephone calls while the other show will continue its membership in studio audiences.

First "Pot" broadcast on the red will be that of June 4 and the "Treasure Chest," which was on with Frick last summer season in the following Tuesday. The switch of Pot from the red to the blue has caused much comment within the trade because of its possible inter-network reflections.

Stack-Gable, owner in the account, is reported as having helped make the deal for the blue along by negotiating at the same time with the Mutual Network.

Hammann Off WCAU

Philadelphia, May 28. J. B. K. Hammann, commercial manager of WCAU, has resigned effective June 13 to rejoin the staff of the magazine "Advertising and Selling." Hammann has been with WCAU since March.

Previous to that he was connected with the National Broadcasting Co.

New York—George MacGregor, formerly with Radioart & Ryan, has joined the Campus agency in an executive capacity.

SALES PIECE OF BOXTOPS-IN-BULK FIRM

P & G LAUNDRY SOAP

FOR THE 1st PRIZE will award \$100.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest.

Second prize will be awarded each week: \$50.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest.

Third prize will be awarded each week: \$25.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$25.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest. The following prize will be awarded each week: \$25.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest.

IVORY FLAKES

FOR THE 1st PRIZE will award \$100.00 in prize to 1 weekly IVORY FLAKES Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly IVORY FLAKES Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly IVORY FLAKES Contest.

Second prize will be awarded each week: \$50.00 in prize to 1 weekly IVORY FLAKES Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly IVORY FLAKES Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly IVORY FLAKES Contest.

BIT-O-HONEY

FOR THE 1st PRIZE will award \$100.00 in prize to 1 weekly BIT-O-HONEY Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly BIT-O-HONEY Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly BIT-O-HONEY Contest.

Second prize will be awarded each week: \$50.00 in prize to 1 weekly BIT-O-HONEY Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly BIT-O-HONEY Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly BIT-O-HONEY Contest.

PILLSBURY FLOUR

FOR THE 1st PRIZE will award \$100.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$100.00 in prize to 1 weekly PILLSBURY FLOUR Contest.

Second prize will be awarded each week: \$50.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$50.00 in prize to 1 weekly PILLSBURY FLOUR Contest.

Third prize will be awarded each week: \$25.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$25.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$25.00 in prize to 1 weekly PILLSBURY FLOUR Contest.

Fourth prize will be awarded each week: \$10.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$10.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$10.00 in prize to 1 weekly PILLSBURY FLOUR Contest.

Fifth prize will be awarded each week: \$5.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$5.00 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$5.00 in prize to 1 weekly PILLSBURY FLOUR Contest.

Sixth prize will be awarded each week: \$2.50 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$2.50 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$2.50 in prize to 1 weekly PILLSBURY FLOUR Contest.

Seventh prize will be awarded each week: \$1.25 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$1.25 in prize to 1 weekly PILLSBURY FLOUR Contest. The following prize will be awarded each week: \$1.25 in prize to 1 weekly PILLSBURY FLOUR Contest.

Second Prize of \$100.00 in prize to 1 weekly P & G WHITE LAUNDRY SOAP Contest.

PLEASE USE THIS OTHER SLIP

PRIZE SLIP	NAME	ADDRESS	CITY	STATE	ZIP
1st	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
2nd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
3rd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
4th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
5th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
6th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
7th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
8th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
9th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
10th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
11th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
12th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
13th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
14th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
15th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
16th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
17th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
18th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
19th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
20th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
21st	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
22nd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
23rd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
24th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
25th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
26th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
27th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
28th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
29th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
30th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
31st	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
32nd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
33rd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
34th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
35th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
36th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
37th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
38th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
39th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
40th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
41st	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
42nd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
43rd	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
44th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
45th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
46th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
47th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
48th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
49th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601
50th	ETHYL	100 W. 1st St.	Chicago	Ill.	60601

or June 1st 1949, send this slip to the following address:

1. Name (Last, first, middle initial)

2. Address (Street, city, state, zip)

3. Name (Last, first, middle initial)

4. Address (Street, city, state, zip)

5. Name (Last, first, middle initial)

6. Address (Street, city, state, zip)

7. Name (Last, first, middle initial)

8. Address (Street, city, state, zip)

9. Name (Last, first, middle initial)

10. Address (Street, city, state, zip)

Send 25¢ to
Eggleston Enterprise
Milford, N. Y.

Send 25¢ to
Eggleston Enterprise
Milford, N. Y.

Send 25¢ to
Eggleston Enterprise
Milford, N. Y.

Send 25¢ to
Eggleston Enterprise
Milford, N. Y.

Send 25¢ to
Eggleston Enterprise
Milford, N. Y.

Covering All

SCREEN

RADIO

BANDS

STAGE

VARIETY



Phil Spitalny

Show Business

RADIO

. . . Five consecutive seasons on the air for General Electric and renewed for an additional season. Winner of many awards in radio, including the WOMEN'S NATIONAL RADIO COMMITTEE Award, Radio Stars Award, Radio Guide Award and the award of the Exposition of WOMEN'S ARTS AND INDUSTRIES.

BANDS

. . . Foremost feminine orchestra in the world. Played to 75,000 people (one performance) at Grant Park, Chicago.

STAGE

. . . Personal appearances in the de luxe theatres of the United States, played to well over 1,000,000 people in 1939.

SCREEN

. . . Two years in succession, winner of annual film award for prize-winning Paramount Technicolor Shorts—and when it comes to

TELEVISION

It will be an Hour of *Double Charm* when television presents Phil Spitalny and His All-Girl Orchestra—charming the ears as usual with perfect melody and enchanting harmony—charming the eyes, too, with feminine loveliness and colorful beauty! Television's here! And here is the act as beautiful to see as to hear!

Conducting

The Hour of Charm

Government and Private Stations To Pool Thoughts, Experiences In Canadian Radio Meetings

Toronto, May 28

In a constructive gesture to better understand the Canadian Broadcasting Corp. is completing final details for a radio round-table event, on the "The Art and Business of Broadcasting," in which ideas, positions, and experiences of station managers on the CBC national network and those of independent stations will be pooled for the general development of radio in Canada.

Talks will cover every aspect of broadcasting, including program production, station management, news efforts, radio engineering, and the techniques of presenting feature broadcasts, talk series and special events coverage. Cooperative efforts will be staged at CBC headquarters here and while that will be convenient for station personnel in the Toronto area, the thought is that the proceedings should be made from-Canada wide. Current possibility is that the talks will be recorded and the discs sent out to Canadian stations whose members cannot be present because of geographical distance, etc.

LUCKIES ASKS PUBS' CO-OP

Board of Directors of the Music Publishers' Protective Association met late yesterday afternoon (Tuesday) to discuss a proposal which has been submitted to the association by the American Tishman Co., sponsor of the Lucky Strike Hit Parade on CBS. In line with the MPPA's move toward a more equitable basis for the numerical listing of the program's hit tunes the advertiser has suggested that the MPPA co-operate by contributing a weekly list after that of its own compilation.

The proposal came after the business company had reviewed the various phases of the survey in which it takes its "hit" list, and decided to allow greater consideration to sheet sales and coin-machine performance and less to what it has termed requests made of band leaders.

SANDRA MICHAEL DROPS 'AFFAIRS OF ANTHONY'

Chicago, May 28

Sandra Michael, whose "Love Journey" serial started yesterday (Monday) for Procter & Gamble, will discontinue "The Affairs of Anthony," NBC's daytime serial, with Friday's (31) episode. Understand it may be revived later. Anthony also does "Against the Storm" for P. & G. Ted MacDonagh, of the NBC staff, who's been directing "Anthony," is handling "Journey." Desmond Kelly is emcee-narrator and Sherry Owen is organist. Cast includes Betty Winkler, Lester Dannon, Cliff Smith, Connie Crayder, Fern Parsons, Cleveland Trower and DeWitt McFalls. Serial originates in Chicago over a split NBC red station. New York and the rest of the network will be added when time can be cleared.

Mini Store on WQAM

Miami, May 28

Shirley's Miami's largest department store, has signed for a 15-week lease over WQAM, in behalf of its home furnishing departments. Use photographs copyrighted provided over by Levin Harris. Line of chatter started for broadcast.

Martha first time in five years since has resubmitted to radio.

WOV Musicians Back

Contract, ending the 14-week strike by the musicians' union, was signed Saturday (28) by WOV, New York. Today's returned to work Sunday.

Deal is for a year and calls for 12 men in a 10-day week (including Sunday). Previous agreement required 18 men.

Work-Dodgers

Primary organizational setup of a major ad agency in radio is getting much comment in the trade. This agency has a large staff but the mode of operation has gotten to the point where everybody is either a supervising executive or an errand-runner. If yesterday's directory, who should be all details and find all the radio together, there are some. It's a case of all hands working in the same and different, to tackle assignments that make them just plain, hard workers.

There are already intimations that this staff will undergo a severe retooling by mid-summer.

Neville Miller Speaker At Louisville Meeting Which Asks U.S. Aid to Allies

Louisville, May 28

Neville Miller, head of N.A.A. and former mayor of Louisville, has been in town for several days, and was principal speaker at his Democratic rally Thursday (28), at which two opposing factions were brought together in a love feast. Miller's brother, Shackleford, Jr., is at present head of the county Democratic organization, and prominent in local political affairs.

Neville Miller was also one of the speakers at a "pro-ally" meeting held in Memorial Auditorium Saturday (29), at which resolutions were adopted memorializing Congress to come out openly on the side of the Allies, and to assist them with credit, war materials and men, if necessary. Mrs. Shackleford Miller, Jr., also addressed the meeting.

Harry Mason Smith At Transamerican

Harry Mason Smith, who was with the staff of WLW, Cincinnati, is now with the Transamerican Broadcasting & Television Corp. as sales manager. He takes over from Pete Yenger, who has gone back to the firm's program production department.

Transamerican has the national sales representation of WLW.

Transmark Service Block

Atlanta, N. Y., May 28

Transmark Broadcasting & Television Corp. has decreased its capital stock from 2,000 shares, to 1,000 shares, on par value, to 1,000 shares, on par value.

Papers on this change have been filed with the Secretary of State by Attorney S. A. Rosenblatt.

Reduction in stock was due to liquidation of more preferred stock obligations.

British to 'Comment' on News

Bartlett, Priestley at 9 P.M. Nightly (Shortwave)—
Swing's Health Threat

Two changes have occurred over the over-and-it regard to the short-wave exchange of news between America and Britain by radio. For health reasons Raymond Gram Swing, a great favorite in the United Kingdom, will drop his week-end broadcast talks to Canada from New York. He may do one program each from the Republican and Democratic conventions, but will otherwise be unable to continue. Doctors insist he guard his nervous system against the consequences of strain. He's on five a week over Mutual.

It was at that moment of NBC that Swing got his shot in radio. He started his radio career for the British system in 1934 and three years later Swing returned to his native country and aligned himself with WGB-Mutual.

The British Broadcasting Corp.

WMAZ Faces Opposals First Time in 10 Years

Macon, Ga., May 28

First competition for WMAZ, Macon's sole radio station for more than 10 years, loomed on the horizon here, with the assignment of call letters WMBL to the Middle Georgia Broadcasting Co. by the Federal Communications Commission. Incorporators of the new company, which is to operate at first on 1240 watts unlimited time, are Russell G. McMillan and E. H. Stark of the Central States Oil Co.; Ed M. Lane and Henry Lane of Lane Electric Co.

Site for the broadcasting tower and other details of operation are now being determined.

PHILIP MORRIS MAY EMULATE LUCKIES

Philip Morris is considering going in for a transcribed and campaign similar to the one that Lucky Strike is now running. Presentation along this line has been made to the cigarette manufacturers by the Blue agency.

Blue has suggested a list of materials and the extent of the campaign's coverage will depend on how much Morris wants to appropriate for a start. Campaign is expected within a week.

MAY RESUME

'Meet Me at Times Square' Previously Met World's Fair Stylings

If musician's union chairman and broadcast fee problem can be worked out satisfactorily, "Meet Me at Times Square" will return to WMCA, New York, but emanating from the diving room of the various hotels in the Times Square, N. Y., area rather than from WMCA's studios. Program was taken from the different hotels to highlight, on WMCA, for patronage of out-of-town coming in to glaze the New York World's Fair.

Ironically enough the program was launched off several weeks after starting by the fact that most of WMCA's sustaining shows are coming from the Fair and the last Great Orchestra, WMCA house band, so often that it's permanently stationed on the Fair grounds. Formerly entertainers just went to the station's studios and were backed by the band's lunch followed by the band leader from the room, Ben Bernie at the T.V. for instance.

Betty Lee Bantz at WLW

Cincinnati, May 28

Betty Lee Bantz, lately with WLW, Cincinnati, joins the WLW staff of newscasters June 1. She will do a daily show, 4:45 to 5 p.m., EST, based "News From a Woman's View." She replaces Ben McCummins, who left several months ago to join the NBC dramatic department in Chicago.

The daughter of Edwin A. Bantz, publisher of the Littleton (Colo.) Independent, Miss Bantz attended the University of Peru.

From the Production Centres

IN NEW YORK CITY . . .

Mary Little, radio editor of the New Yorker Magazine and Tribune, has gone home. . . . Sally O'Neil, former film actress, debuting for radio and television. . . . Karl Ulrich Schuchert, Anchor Fulton, Katja Andry and Vlasta, our Padway, European concert pianists, set for one-shot special, over WQXR on Sunday night during June. . . . Alvin Karpis planning another "Streamlined Journal" broadcast from United Airlines plane, this time with the home orchestra read in from a second plane. . . . Miss Langford-Richie, master-singer, Stanley McClelland, baritone; Doris Earle, soprano; Ralph M. Herbert, baritone; Virginia Maurer, soprano; Clifford H. Bickel, baritone; Florence Frame, soprano; and Ernie Wrightman, baritone, will join for pairs in a series of four "Artist series" recitals over WQXR Friday evenings, beginning June 7.

Louis Levine, of CBS, to Washington over weekend to conduct "Theater's Platform" Saturday and launch new "Variety to Learning" Sunday from that point. . . . Katherine Buckle, of WGN, Chicago, is away for her annual spring tour of broadcasting out of WGN. . . . Collier's magazine editor attacking FCC on telephone tactics made during remarks on N. A. B. code, and Ed Kirby sent magazine a telegram. . . . Julius Seelbach, of WGB, looking over his column some on three-week visit to Georgia.

Helmut Rytzel added to the names of broadcasters from Paris heard over NBC.

Ben Pratt, a fugitive from politics, is back at NBC press and handling the night desk. . . . Jack Miles on leave from NBC.

John E. McMillan and Gil Ralston, of the Common agency, to Chicago to handle with Procter & Gamble. . . . The Ed Gardens (Shirley Smith) vacationing at Virginia Beach. . . . Ralph Edwards (I all last week, but did his "Truth or Consequences" show Saturday night regardless. Series has been extended for 13 more weeks as of June 12. . . . Setup for Fred Allen's show will be the same when it goes on for Tuesday in the fall, but Peter Van Steeden's orchestra and the lively Mass won't be in. . . . probably a larger vocal group will replace the latter.

IN HOLLYWOOD . . .

Newsmasters at KTL are no longer fumbling with those trick names in the war zone. Order has gone out to make them sound like they've settled on map boards run better follow the movements. . . . The HBB and a Miss have been dropped from the Old Gold show but will be back with Ben Hope when his jacket turns for home. . . . Meredith Willson's "Milk and Honey" symphony will be piped into all L. A. schools June 4 on an educational feature. . . . Music Madsen was optioned through the summer on Kraft Music Hall. . . . Edgar Bergen can't be lodged from his television act. . . . Jean Harlow and Rosemary De Camp and for three weeks of broadcast "Dr. Christian" from New York. . . . Bing Crosby found a spot for Ben Carpenter in his picture at Paramount. . . . Jimmy Hwanghan shopping news for Hedda Hopper. . . . Tom Revere here in work out five-week layout for "Good News," some what may next fall. . . . NBC's on-air, "I Want a Divorce," checking off this week, with nothing definite for next season. . . . State Parent-Teachers Ass'n picked Horner's "It Happened in Hollywood" as the ideal daytime show. . . . Union Girl dropping its opera series (day light, or summer fare. . . . Maria Chambers off and Mahlon Merrick's singers added. . . . Producer Bill Lawrence working out a new musical pattern for the fall. . . . Charlie VanDaele announced in his new hitting outfit. . . . Fox Case of CBS has it all figured out that 15 stations in the Los Angeles area devote around 20 hours a day to newscasts, with KTL carrying plenty of the load. Figure doesn't include bulletins, flashes at station breaks or special round-ups.

IN CHICAGO . . .

Everett George Ogle, indie producer, will handle production of new "Armed and Dangerous," which will have Harry Kagan orchestra and Charles Brown as vocalist. . . . Country Washburne resuming from minor ep. . . . Paul Gerson due for trip to New York for an ad likely talent for Mutual-WGN "Firm New Center" show which is slated for lower building over the summer. . . . Ray Wilson, who has been on the Wiggly writing job on the Coast for Columbia, back in Chi for a while.

Bob Merrill comes in next week as guest conductor for the Carleton Concerted program. Ray Smith, NBC midwest musical director, had been handling program since sudden death of Jack Paternack. . . . Luther Quenrich (KTL) of WLS New Dealer into the Hotel Sherman's College Inn in call square dance for the customers. . . . Quin Ryan, WGN general manager, into St. Louis's hop, for check-up and rest. . . . Eddie Dunn, for many years M.C. on the "Early Bird" program on WFAA, Dallas, in Chi to negotiate other M.C. deal locally.

WMAQ, NBC red outlet in Chi, was off the air for half-hour on May 28 a.m. when Ben broke out in contest panel at transmitter. . . . Betty E. Lee added to NBC midwest production staff filling space left by resignation of Wynne Orr. . . . Bill Ray, midwest press chief of NBC, back from call on newspaper editors and stations in Louisville and Cincinnati. . . . Irving Platon, foreign news editor of Daily Times, on WIND with program series signed "War News-Commentary." . . . What Do You Say?, new daily quarter for Columbia taking powder over WGN, circulated Illinois women's clubs for questions which are being used on the series, the females also comprising the studio audience. Carol Irwin, Young & Rubicam daytime program supervisor, had the idea.

Julius Lavery replaced Jane Green on "Arnold Grinn's Daughter." . . . Glenn Palmer is not at "The Alamo" and Henry Harker joins the cast. . . . Michael Berman is a newsmaster on "Guiding Light." . . . Don Gallagher added to "Ma Perkins." . . . Nina Kiroden replaced Louise Kiroden on "Midwestern." . . . Jane Kaye no longer on "National Barn Dance." . . . Ed Prentiss taken over for Charles Foxman in "Story of Bud Barton." . . . The John E. Gibbons (Sandra Michael) returning to New York.

NEW TIME HELPS

Set Those War Maps of Paul Sullivan Are Tenth

Louisville, May 28

Interest in war news has been reflected tremendously in change by Paul Sullivan (CBS-WLW) in behalf of Brown & Williamson Co. Requisitions for war maps have far exceeded expectations, and an enlarged force has been added to handle the requests. Battle lines change from day to day.

Sullivan now airs over the CBS network at 8:15 EST, and sponsors report that the new time has greatly increased listening audience, and returns from the offer of a war map has amounted to several hundred pounds of direct on each airing. Map is mailed to each listener sending in a claim.

Leonard Rame, the short story writer who has been military expert on WGR, N.Y., will do a topical series for Look Mag.

CBS NOT READY TO LET WOC GO

Efforts of the Palmer interests to have it get a release on WOC, Dan-son, from CBS as that the station could join the NBC-blue network have reached an impasse. Dr. H. J. Palmer was in New York on this second last week, but found that Columbia was not inclined to tear up the affiliation contract with WOC until the network first obtained a substitute outlet. CBS has approached WHEP, Rock Island, on the proposition. WHEP is now affiliated with Mutual.

Palmer interests also own and operate WHEP, Des Moines, which is affiliated with the NBC-red, while Columbia's contract with WOC has a term and a half years to go. The Rock Island station is a 1,000-watt.

RADIO'S EX-WALLFLOWER

SUSTAINER NOW VALUED BY BIZ

Public Interest Type Program Introduces New Values of Publicity and Good Will—Better Spirit of Production Personnel—Part of Cost Borne by Pressure Groups

CREDIT SARNOFF

By ROBERT J. LANDRY

Not the least important of the radio developments of 1940 is the growth of the once-dreaded, neglected and apologetic sustaining program into a promising asset of the radio industry. At a time when broadcasters with very heavily to be well regarded, when self-conscious bids for public applause are made by the industry's trade associations, when consumer and social criticism is more articulate and better documented than ever before, it seems odd, but indisputable, that the "payoff set to music," as the sustainer used to be called, should re-emerge in a new prestige role.

The fact is, that more and more the industry's best foot forward will be the old limping Cinderella head of the sustainer. The transformation has been brought about by superimposing the dainty slipper of public interest upon the ugly hoof, thereby converting an embarrassment wallflower into a good-will queen.

Of course the "public interest" or "educational" program is still only one part of the total program schedule of sustainers (nearly 70% of all radio time is non-commercial), but the public interest program is important because, unlike the run-of-mill sustainer, it creates powerful alliances for the industry, because the programs are aimed at selective audiences made large by attention-catchers marshalled by cooperating pressure groups.

Another bright aspect of the new luster of the sustainer is that some part of the out-of-pocket expenses of the public interest program can be, and is being, absorbed by outside sources who cooperate with radio and appreciate that the publicity value of the broadcast gives them a worth a cash investment. In exchange for free time, the "sponsored" group is willing to assume all, or part, of the production overhead. Thus, for the first time, the sustainer does not represent a dead financial loss to the broadcaster's own treasury.

Sarnoff Hired Dr. Angell And That Started Plenty

The revised and streamlined sustainer of 1940 is making friends and influencing people. It is rapidly being recognized as the smartest kind of public relations and publicity by the networks and by the local stations. Most informed observers see the new "social viewpoint" development as about two and a half years old. In general it seems to date from about the time Dr. James Rowland Angell, former president of Yale University, was hired by David Sarnoff to become NBC's Educational Advisor in one of the smartest (generally considered) defensive steps ever taken to stave off social and educational criticism of an industry. The immediate effect of bringing in Angell in 1937 was to dramatize to the outside world, especially to the ever-present pressure groups, the recognition by the RCA high command of the public interest consideration.

At that time and since both NBC and CBS apparently indulged in some "taste" re-evaluations. Each network has its own individual theory. Their programs are, on the

whole, quite dissimilar. But each follows the practice of collaborating with outside organizations, and, taken together, these groups (scores of them, culminating in hundreds of broadcasts) have created cordial relationships in those places where cordial relationships are all-important in an industry based upon reversible public opinion.

Sustainers' New Dignity Reflected in the Staffs

Meanwhile, the changed status of this kind of sustaining program, due to its important mission in life, has had its due influence on the personnel of the network's program departments. First, the greater need for programs produced in "co-operation" to be entertaining, and not just time-killers, has stimulated a

search for new production ideas and methods. The old lethargic attitude was part of the stigma of the sustainer. Favorable attention, in and out of the network, is now focused upon production individuals showing skill or promise. Praise has spurred pride, with the result that once, if not all, of the old hangover so-called attitude of sustaining writers and directors has been eliminated.

An incidental result of the snap-pier atmosphere at NBC, for one, is a reported (and recent) insistence that the rigors of the same old voices be broken up. A temperate newcomer, Albert H. Williams, now does the evening. This was a drastic blow at workaday directors who, out of long habit, fear of unknown, or stark deviation, endlessly repeated their own stock

company of actors to the detriment of sustaining program quality and freshness.

Columbia meantime is usually more liberal than NBC in allowing air credit and build-up to its production personnel.

There is another by-product of the new place in industry defense strategy accorded by the public interest program. Both major networks and many local stations are now open-minded to experiments in production techniques. At the moment all sorts of program innovations, ranging from lectures-with-off-stage chats to frolics in the web chambers, are bubbling up. Radio City is apt to break out in a rash of Greek choruses any minute. More pointedly, those sustainers that have been framed with the hope of attracting sponsorship are themselves being

today with "educational" or "social" influence. Columbia's "Pursuit of Happiness" was rather amazing in this regard and is the best known example of the reversion.

CBS Program Is Aiming At 1% Highbrow Crowd

Right now both the commercial broadcasting industry and the instructional professions are watching with keen curiosity the current experiment of the Columbia Broadcasting System entitled "Pursuit of Happiness," which now occupies the Sunday 4:30-5 p.m. spot vacated by "Pursuit of Happiness." At the suggestion of the network's own adult education council, this program is to be frankly highbrow. It aims at, and

(Continued on page 32)

FORT WAYNE, INDIANA . . .

Another Integral Part of WLW-Land



FORT WAYNE, IND.

Population, 1930	114,000
Retail Sales, 1930	\$48,477,000*
Wholesale Sales, 1930	\$37,176,000*
% of Nation's Buying Power (trading area)	2.5%
Radio Homes (Allen County)	26,000

* Estimated by John Thompson

Served for years by WLW, listeners in this thriving Indiana city have naturally acquired the habit of tuning in the Nation's Station. That this listening habit has promoted a preference among Fort Wayne consumers for brands advertised on WLW is well appreciated by tradesmen in this city. To them, WLW-advertised means well advertised.

NAT'L REP. • TRANSAMERICAN BROADCASTING & TELEVISION CORP. • NEW YORK • CHICAGO

WLW

THE NATION'S

most "Merchandise-Able"

STATION

Copies of AFRA Transcription Code In Hands of Recorders, Agencies

Copies of the American Federation of Radio Artists' proposed transcription code were sent out this week to officials of the networks, transcription companies and advertising agencies and legislators, with preliminary copies to the end of the week as requested of each. At previously reported indications, AFRA's efforts to get its proposed code accepted will be reached, although one or two AFRA proposals may prove stumbling blocks.

Under the code, two classifications of transcription would be set up, with different wage scales and working conditions for each. Class A would include all "Victrol" built plates, plus any "open end" discs used on a single station of 3000 watts or more, or used on any two stations or more by a single sponsor for a single product. Class B would include any "open end" recordings not coming under the Class A specifications. "Custom built" transcriptions are those with the commercial already included, "open end" are those with an open space for a subsequent sponsor to dub in his own commercials.

Quoting as writing a different code for the two classifications has delayed for nearly a year AFRA's effort to reach a transcription code satisfactory to all its units. Present formula of having the transcription on the question of ratings is believed to solve the problem, although the Los Angeles local may still feel the proposed scheme might react unfavorably to Coast transmitters.

One clause that may be a hitch in the forthcoming legislation has to do with the transcription makers' and networks' present inventory. If accepted, it would bar the use of previously-made plates except as the payment to the artists involved in the difference between the amount previously paid and the proposed AFRA transcription scale. AFRA's aim with this clause is to put all plates on a uniform basis, but the transmitters and networks are expected to oppose that phase of the code strenuously.

The actual wording of the clause is as follows:

"Any recordings or other form

of mechanical reproduction made prior to date of the code, shall be retained and be used in radio broadcasting up to but not later than the date of the code, and on and after that date the producer and manufacturer agree to withdraw all such recordings from use and to distribute and release all such recordings as are made in accordance with provisions of this code. Upon application to AFRA and upon payment of fees as specified in this code in the artists' agreement on such recordings, recordings made prior to date of the code may be retained for use in connection with news and commercials of this code."

Proposed scales for Class B transcriptions appear elsewhere. Transmissions under the Class A first were printed in the May 14 issue of Variety. In general, the Class A scales move or less parallel the regular scales for live commercial broadcasts. While this would presumably place the cost of transcription production in the case of larger groups of orders the increase would be as much as 50% to reflect art work and transcription efforts have previously indicated their belief that the business could absorb the loss. However, application of the code would be expected to place a severe strain on the major transcription companies, some of whom might not be able to operate at all under the increased loads.

KIRO's Summer Forum

Seattle, May 28.

Ben Tipp, local jeweler, who has a sizeable local budget on KIRO for various programs, will present a program titled "Summer Forum" in south hall during the hot months and substituting a public forum.

Program director Tommy Thomas has started an essay contest built around "what do you want to do when you leave school?" to be answered by high school students.

Ex-Wallflower

(Continued from page 31)

postponed, that it will be gratified if achieving a 15% audience."

The "Learning" series will air with three installments at a prominent nucleus, to which will be added a different fourth, or guest speaker, each week. The last will discuss the Washington, D. C. "open spirit" developed at bank that influenced the Founding Fathers. The first discussion last Sunday (28) concerned the American Constitution. Plenary, Judiciary, Executive, House, Senate and the President's powers are to be taken up in subsequent weeks.

Following his return to Washington, D. C. from his college assignment, Huntington Cairns, a Treasury Department attorney and Andrew L. Chapin, Columbia University instructor, on a basis of their knowledge of the staff rather than their being radio personalities, actually or potentially. The program, which is under the production supervision of CBS' Leon Levine, will be in the hard way. There will be no talking down to the public. It is hoped the public library interested will get behind and push. Steve Miller, assistant with the National Policy Commission, was the first speaker. CBS hopes for H. L. Menck, Archibald MacLeish and others of that ilk to follow.

Since the Angell appointment first demonstrated the new trend perhaps 200 stations affiliated with NBC, CBS and the Mutual network have accepted educational divisions. Some 40-odd NBC stations also have women's activities divisions. In series of inland cities and towns the public interest program tends to receive intelligent consideration. Everywhere the most radio operators tend to acknowledge the importance of the matter, more broadly said. It's the added community and social factors that have made the difference. The local stations, in turn, are increasingly disposed to make room in their schedules for the public interest staff offered to them from network headquarters. Voluntary help-up during the summer just ending have reached new highs. Columbia's School of the Air, for example, had 128 stations.

Recent checks of the NBC log show these accomplishments:

Program	Stations
World's Greatest Music	100
Music in the Home	100
Children in the Home	100
Children's Music	100
Children's Songs	100
Children's Stories	100
Children's Plays	100
Children's Poems	100
Children's Fables	100
Children's Legends	100
Children's Histories	100
Children's Geography	100
Children's Science	100
Children's Art	100
Children's Sports	100
Children's Games	100
Children's Puzzles	100
Children's Riddles	100
Children's Trivia	100
Children's Quizzes	100
Children's Contests	100
Children's Competitions	100
Children's Exhibitions	100
Children's Demonstrations	100
Children's Performances	100
Children's Recitals	100
Children's Concerts	100
Children's Operas	100
Children's Plays	100
Children's Movies	100
Children's Radio	100
Children's Television	100
Children's Literature	100
Children's Art	100
Children's Science	100
Children's History	100
Children's Geography	100
Children's Social Studies	100
Children's Health	100
Children's Safety	100
Children's Citizenship	100
Children's Character	100
Children's Religion	100
Children's Morals	100
Children's Ethics	100
Children's Philosophy	100
Children's Psychology	100
Children's Sociology	100
Children's Anthropology	100
Children's Linguistics	100
Children's Literature	100
Children's Art	100
Children's Science	100
Children's History	100
Children's Geography	100
Children's Social Studies	100
Children's Health	100
Children's Safety	100
Children's Citizenship	100
Children's Character	100
Children's Religion	100
Children's Morals	100
Children's Ethics	100
Children's Philosophy	100
Children's Psychology	100
Children's Sociology	100
Children's Anthropology	100
Children's Linguistics	100

Lawell, Searchinger Hookup Sport, 12 to 62

Even a casual comparison with the hook-up for last season illustrates the new attitude of the affiliated stations. The 42-station web for Fred Harold Lawell's discussions of "Roman History in Action" is not only signified in itself, but doubly so in view of his jump from an original hook-up of only 13 stations. Oscar Searchinger of the American Historical Association (who follows Lawell Friday night) has similarly jumped from 21 to 41 stations.

While Walter Dunsen's Music Appreciation hour has been more or less of a dead end, the prominence of a Toledo Museum program, "Music for Young Listeners" (12 stations) is also symptomatic.

There is another salient lesson of the 1939-40 season. First, active organizations can accomplish small miracles in persuading stations to take programs. A good example of this is the Office of Education's success in getting the Gallant American Women series on 61 stations. Second, the present network rule permitting delayed transcriptions (with-in 72 hours) allows the local station to meet its own time requirements and helps a lot. Organizations that really get behind and do their part have also been quick to discover that the around \$200 cost of discs they can sometimes add another 30 stations on a spot placement basis to the list of stations on the network hook-up. (Hawaii takes a considerable number of NBC and CBS public interest programs through the transcription method.)

MINIMUM FEES FOR CLASS B TRANSCRIPTIONS

Approximate and Approximate

1. Length of Program

Length of Program	Fee
1 minute or less	\$2.00
Over 1 minute and up to 3 minutes	2.50
Over 3 minutes and up to 5 minutes	3.00
Over 5 minutes and up to 10 minutes	4.00
Over 10 minutes and up to 15 minutes	5.00
Over 15 minutes and up to 20 minutes	6.00
Over 20 minutes and up to 30 minutes	7.00
Over 30 minutes and up to 40 minutes	8.00
Over 40 minutes and up to 50 minutes	9.00
Over 50 minutes and up to 60 minutes	10.00

If program runs over 60 minutes, extra shall be computed in units of 15 minutes or part thereof and be paid for at rate of 15-minute program.

2. Retention: \$2 an hour, one hour of retention required on each program. Retention shall be paid at rate of 15 cents for each 15 minutes of retention. Individual compensation shall be on basis of time set forth in call, and number of programs contracted for, and additional retention time may be requested, and it agreed to, paid for at regular retention rate.

3. Additional: Every transcribed station or station for transcription, whether commercial, sustaining, library service or of any other kind, shall be paid for at not less than one-half the applicable program plus the full retention fee, with one hour of retention required for each round of 15 minutes or more.

4. Sound Effects: NBC reserves the right to establish rules and regulations governing minimum compensation and minimum working conditions for sound effects men engaged for transcriptions, slide shows, phonograph records or any other mechanical devices covered by this code. AFRA agrees to afford signatories 30 days notice of the establishment of such rules and regulations.

Library Service for Singers

For transcription of 15 minutes or less:

For transcription of 15 minutes or less:	Fee
1 to 4 voices, exclusive	\$20 per person
5 to 8 voices, exclusive	25 per person
9 to 14 voices, exclusive	40 per person
15 to 20 voices, exclusive	50 per person

If a subject is a number of a quartet and steps forward as a "soloist" for one full number, he shall be paid at soloist rate. Retention rates in the same as for programs of 15 minutes or less for Class A transcriptions.

Library service recordings shall in no case be used for any purpose after six months from date of recording and in no event as part of commercial broadcasts. Recordings may be loaned for a further period of six months by payment of additional fee to artists equal to original fee.

NBC'S TEXAS MEETING

Education and Broadcasting Dept. Dallas—University of Texas

NBC's public service program division will hold the second of its planned series of regional meetings May 30-June 1 in Austin in cooperation with the University of Texas. About 300 teachers and educators will be present for a gathering of their own and about 75 broadcasters will meet both separately and with them.

Dr. James Rowland Angell, Franklin D. Roosevelt, Walter Preston and W. E. Roberts will be the delegation from the home office of the network. The Texas delegation will include A. L. Chapman, Howard Pumpkin and Arthur L. Brantley.

Beverly Long, WBAL, Chestnut, general manager, was elected Moderator (21) to the National Advertising Club's board of directors.

POLES' RADIO IN ENGLAND

London, May 14.

Propaganda got added and moved coverage from last week on with NBC adding two eight-minute periods each week for the sponsorship by the Polish Government of programs arranged by Radio Polski, designated as the "legal" radio organization of that country. Airing is via the BBC (G.M.T.) bulletin every Wednesday and Saturday on BBC's domestic transmission.

More is seen, as the right kind of way to get the right kind of views both into captured Poland and to her native sons outside.



The best-known couple in daytime radio!

"Betty and Bob"

NOW AVAILABLE IN NEW RECORDED SERIES

This new recorded "Betty and Bob" series follows the same program style that made the network series such a smashing success for General Mills—with all new plot sequences. It is a five-a-week, 15-minute show... features an all-star cast of some talent... is authored and directed by the same writer and same producer who brought the network show to the highest rating in eight years on the air.

Highlights are: Specially arranged original theme music—Several types of opening and closing theme and announcements in separate record—Maximum time allowance for commercials—Comprehensive merchandising

- "Team" in producer effort—new records for sponsors!
- Eight years on the network for General Mills!
- One of the best women's daytime series!
- Earned highest program rating of any General Mills daytime show!

plan. Every detail has been carefully planned to give the program all the flavor and character of a "live" show, including the finest recording—NBC ORTHOPHONIC.

Here's a program for "open" use by regional advertisers in every section of the country. Write for prospectus, availability and prices.



614 Reg., Radio City, N.Y. • Distribution: May, Chicago • West and Visa, Hollywood

Write, Wire or Phone
YOUR NEAREST
VARIETY
OFFICE

To Reserve Space in the
1940-41

VARIETY
RADIO
DIRECTORY

NEW YORK
134 West 66th St.
NY 20 9-8153

CHICAGO
14 W. Randolph St.
Central 4401

HOLLYWOOD
1708 No. Vine St.
Hollywood 1141

ONE RECORD AFTER ANOTHER!



Radio

Singing Star of "Tune-Up Time" . . . Since his addition to this magnificent musical program the accepted and authoritative popular radio survey shows a threefold rise in listening audience . . . A new all-time record for a class musical radio show . . . Program concludes June 24.

Theatres

Currently appearing at the NEW YORK PARAMOUNT for the THIRD SUCCESSIVE engagement within one year . . . and for the third successive time a sensation . . . acknowledged by Bob Weitman, Managing Director of the theatre, as the greatest single boxoffice attraction in America and already booked for next season. . . .

Cafes

Signed by Art Childers for the ROYAL PALM CASINO, MIAMI, for a week-end engagement and remained for the entire season, breaking every existing record . . . Nick and Arnold immediately brought him to the VERSAILLES, NEW YORK, for a two-week engagement, where he broke every record ever established there . . . Just signed for a return engagement at this smart supper club for one entire month (first time an attraction has been signed for this length of time) . . . Opens June 9, 1940.

Records

Jack Kapp renewed contract for DECCA RECORDS . . . Although only recording for one year, his platter sales have hit the 100,000 mark again and again with such hits as "BLUE WORLD", "INDIAN SUMMER", "SOUTH OF THE BORDER", "BEGIN THE BEGUINE", "CARELESS" . . . tin pan alley's Number One song salesman.

Pictures

Just placed under long term contract by Louis B. Mayer for METRO-GOLDWYN-MAYER Pictures.

TONY
MARTIN

Under Personal Contract to
NAT C. GOLDSTONE

9121 SUNSET BLVD.
HOLLYWOOD, CALIF.

OXFORD 1131

TELEVISION RULES REVISED AS FCC ISSUES REPORT, CONDEMNS RCA 'HASTE'

FCC Concern Is With Guarantees for Equality of Competition—Some Suspicion of Film Industry Is Also Apparent

Washington, May 28. Revision of the television rules, bringing the intermediate stage of "limited commercialization" and promising full opportunity to begin changing for visual program time as soon as the engineers have agreed what system should be used, was voted Monday (27) by the FCC. Report took numerous steps at Radio Corporation of America, with the regulators announcing the future policy will include several innovations designed to forestall any monopoly.

As expected, the Commission said the wide disagreement within the industry over basic principles makes it undesirable to standardize on a method of operation at this stage. Consequently, the licenses will continue substantially to be of an experimental character—this forbidding any money-making—and additional points will be authorized to encourage research and development.

Probably the most important feature of the latest order was the emphasis placed upon competition. Besides granting licenses for more stations, the Commission said it will limit

the number of outlets which any licensee may have—thus knocking on the head the NBC idea of immediately setting up a relay system—and will adopt special regulations governing chain transmissions. There will be no "squatters" on the video frequencies the still-bare FCC allotted.

The report justified the Commission's suspension of its former rule and somewhat in the matter of commercialization, chiefly at RCA's expense. Rest of the industry obviously doesn't share the RCA-NBC enthusiasm about television having arrived, the regulators declared, rebuking RCA for not carrying out implied promise to go ahead with general research. The order noted that after the January hearing RCA decided to modify its experimental plan to the possible improvement of its own technique, without confining to rapid alternative ideas. While the RCA advertising campaign was the reason for the reopening, the Commission asserted again it was not trying to regulate trade practices but instead, was merely endeavoring to carry out its statutory obligation of seeing that there

is "unhindered technical development."

The conversation about promoting commercial operation was justified chiefly by reference to the reports of the Television Committee and the philosophy expressed in the February order. Past warnings that there are many angles still to be explored before the handoffs are removed were repeated with added emphasis.

Some encouragement was given Allan B. DuMont, although the Commission declined to accept his proposed "flexible standards" just as it frowned on the RCA-Grain Manufacturers' Association system. Apparently in the latter connection the regulators kept their fingers crossed because of whispered and open accusations the motion picture industry wants to put a roadblock between television's legs.

Broken faith was charged against RCA. Quoting the testimony given in January, Commission said it left assured there would be no attempt to freeze standards but that the attitude and actions, notably statements by David Sarnoff, reflected a "perpetual determination of RCA to move forward commercially... as independent of industry opinion and of the Commission's attitude on standards and commercialization." Conclusions were based on letter RCA delivered to the RCA Television Standards Subcommittee Feb. 29—day the limited commercialization rule was promulgated—announcing plan to proceed on the basis of the RCA system and the idea that proposals of changes in the standards would "bear the burden of proof" that improvement could be obtained. Sarnoff's opposition to Philco's move to re-open the standards also was cited, including his threat to resign if such a course were followed. Furthermore, the Commission pointed to Sarnoff's comment that "we live on a shoestring... I think it is rather silly to argue about absolute appearance under these circumstances."

The failure to emphasize that the set still is undergoing development and that only limited service is available more broadly. Referring to the "frenzied" promotion and sales drive, the report said:

"Yet, on March 26, 1940, pursuant to RCA's earlier announced intention to the industry, an intensive promotional campaign was launched by the Company, the effect of which, if continued and unmodified, would in the opinion of the Commission tend toward the freezing of television broadcasting standards to the single system. Although regular program service by RCA's broadcasting subsidiary, NBC, was promoted and emphasized to extensive and varied public announcements, no mention was made of the experimental character of television broadcasting operation, or of the fact that only the NBC station was on the air in New York City, that such station operating a program service irregularly for two or three hours per day but not on all days of the week, or that future stations employing alternative systems of transmission might not be received by the sets offered for sale."

Critics likely to get stiffed facilities—not including New York, apparently—are San Francisco, Los Angeles, Chicago, Washington, Albany, Cincinnati, Boston, and others. Invitation was given for responsible applicants to file the papers, with reminder that each must do "a substantial job of research" and that state radio is part of the public domain "there is no room for squatters and there can be no pre-emption in this field."

G. E. Lamps Blurring

General Electric's lamp division is planning a concentrated and aggressive campaign on 44 stations through B.N.D. & O.

Schedule calls for 12 hours, all to be run off during the week of June 2.

Jack Koford Sponsored

Miami, May 28. Jack Koford, Miami Daily News scribe, is newly backdropped by Patric Blue Ribbon beer, for a three weekly chatter series over WIOD, incorporating his local column "The Miami Story."

Edited by a former New York sports columnist, and has been on WHYY and WOR in Manhattan.

SARATOGA SETUP

Franklin Dillie at Atlantic City
Special—Field on Track Hits

Saratoga Springs, N. Y., May 28. Bryan Field, turf writer at New York Times and broadcaster of races at New York State tracks for five years, first over WGB-Mutual and then via CBS, will not make from Saratoga during the August meeting. Instead he will man public address system daily for each event. Glen McCarthy, NBC horseman, will describe the big stakes. He has not been heard from since in the past.

Cliffette may buy some of feature cars for NBC blue outfitting. Also Atlantic City may angle.

Remodeling of Atlantic City Saratoga course for pari-mutuel setup—with 178 windows—is moving at a rapid pace. Scheduled for completion first week in July.

Group Spokesman Banned Commercially by KIRO, But Gets Donated Time

Seattle, May 28. Howard G. Costigan, executive secretary of the Washington Commonwealth Federation, who has been sponsored by a local credit union to commentator on political and economic subjects in 15 minute daily periods, has been barred from KIRO (CBS) in adherence to the code of the National Association of Broadcasters because of his discussion of controversial issues. H. J. Quillian, boss of the outlet, said that while represented by Costigan will be treated in the future like other political and religious organizations to which time is given without charge when they have a program of public interest, or one that gives their side of a current controversy.

In absence of Costigan, Terry Pettus, editor of the Federation's weekly paper, said he was authorized to state: "We feel that the program was removed from the air as a result of a somewhat belated application of the broadcasters' code adopted nearly a year ago. There are several network programs that appear to us, in deal with controversial or political matters, but each station determines the application."

Pettus said that Costigan is arranging a new program that will comply with the code. Five local stations belong to NAB. Quillian closed the controversy with the statement "we have arranged to donate the Federation 15 minutes of free time every Tuesday."

COL. McCORMICK BEHIND WGN'S SPURT

Chicago, May 28.

Featured by the "World's Greatest Newspaper," the Chicago Tribune's WGN has embarked upon a campaign to make itself the "world's greatest station." Given the go-signal by Col. E. E. McCormick himself, WGN is now in the midst of an exploitation campaign, and is spending lavishly to obtain big air shares.

WGN brought in Bill Barker to produce three 30-minute operettas for the Chicago Theatre of the Air and imported such names as Marion Claire, James Melton, Jan Peera, Igor Gorin and Michael Bartlett to sing the top parts in "Bitter Sweet," "Student Prince" and "Glowing Time." Now the Chicago Theatre of the Air is readying to present a series of musical comedies. The operettas had been under the musical direction of Henry Weber. WGN musical chief and artistic director of the Chicago City Opera; the musical comedies will be helmed by Harold Stokes, light music conductor for WGN.

On its "Fifth Row Center" program, a half-hour weekly drama show, WGN has had practically every top name that played in Chicago during the season, and imported others. Plans are now under way to continue "Fifth Row Center" through the summer through the long theaters will be dark and therefore set to a mission to afford a steady supply of fresh names. For the summer series WGN has already signed Elton Landi and is now negotiating for a male lead. Has been negotiating for Burgess Meredith, Walter Huston, Philip Morris among others.

Regular "Symphonie Hour" has been refurbished and brightened with Bill Barker sitting in to bring out highlights. Col. McCormick himself appeared on one of these broadcasts, playing the part of himself by repeating part of a speech he made several years ago at the dedication of the War Memorial in Castigny, John T. McCutcheon, famous Tribune cartoonist, came to the WGN mike during one of the "Symphonie Hour" programs for a short personal talk tagged "Sound and Smell."

D You're wrong on the name but right on the facts

Please Brothers 'Low Down Folks' / Railway Wab!

This is one of those things that come along only once in a while and stand out because of being so different. Pair of harmonica licks by guitar and bass produce two different "songs" well played. "Folks" is a lively thing. Light and snappy. It's played at a tempo a bit faster than the reverse "Wab" which is a more piece of automatic harmonica. Lively, rhythmic and snappy played and a side that makes it a new dance.

"Record Review", March 12th Variety.

PARDON our quibbling, but the name is Fiehal. Their music, however, is terrific and definitely different. Tom and Ed Fiehal have been WCCO artists for three years. Right now, in addition to working their recording contract and making personal appearances, they are featured on three WCCO programs, all sponsored by successful advertisers.

The Fiehals are just two of many WCCO artists who are outstanding in their fields of entertainment. They are just one of many features on WCCO programs, all of which are different and tailored for special appeal to the people of the Twin Cities and the Northwest.

That's the way WCCO programming has been handled for sixteen years. And that's why WCCO is in the unique position of having had the bulk of the Twin City-Northwest audience during all that time.

WCCO 30,000 WATTS WHERE IT COUNTS THE MOST

Owned and operated by the Columbia Broadcasting System. Represented by Radio Sales: New York Chicago • Detroit • St. Louis • Charlotte, North Carolina • Los Angeles • San Francisco

We didn't stop with turning out the "SCRIPT OF THE MONTH!"

"BEST OUTSTANDING SCRIPT of the Month" (April) was the honorarium bestowed by Vincent Edwards & Company on a new program produced by WGAR, titled "On-Lights and Bunkies." The script was designed to recreate the gay atmosphere of the moon halls of the nineteen.

NO STOPPING PLACE, however, was the more script. Planning and producing the program in co-operation with Boston, Darton, Duxbury & Osborn for its client, The Lacey Brewing Company, WGAR furnished all dramatic and musical talent... set up merchandising activities... engineered systematic checking of dealers and listeners... built a show so popular that it continues to draw studio audiences of more than a thousand at every weekly performance.

"PUT IT UP TO WGAR" has become the answer for advertisers and agencies who want live talent local shows in the Northern Ohio territory. WGAR carries twice as much national spot program business using live talent as any other Cleveland station... Its total of this type of business amounting to more than the combined hours of all other three Cleveland stations on the same type of programs (according to survey, week of February 22, 1940).

COMING INTO CLEVELAND? Your agency, representative or branch office will find a capable and helpful partner in Cleveland's Friendly Station. Or, if you have no company representative here, you'll find it pays to directly "Put It Up To WGAR!"

WGAR
THE FRIENDLY STATION • CLEVELAND

Radio Station—Columbia Broadcasting System
John F. Patt, Vice President & General Manager
Edward Peary & Co., Inc., National Sales Representatives

Payroll Traffic

Youngstown, O.—Cowboy Jack and his Cowboy Riders, locally group as WERN, Youngstown, O. Group recently with WEPD, Toledo, and WADC, Akron.

Birmingham.—Joe Ford, vet announcer at WGIN, has resigned from the local station to hunt greener fields. Two new announcers employed are Thomas Bevering, formerly with KMC, and William H. Bove, ex-upter at WQNT, Newburgh, N. Y.

New York City.—Changes in the personnel of WOR brings Arthur Whitcomb, manager of the outlet's Newark, N. J., station to the N. Y. office as assistant production manager. He'll replace Frank Knight, who goes back to announcing at his own request.

Tom Statler, another announcer, moves Whitehouse at Newark, and George Hagan comes in as a new upter.

Dayton, O.—Hal Mulligan has become an announcer at WING, Dayton, O., succeeding Kirby Brooks, who resigned to accept a job with an orchestra.

Josephine Fisher has joined WING, Dayton, O., in the traffic department.

Fort Wayne, Ind.—Robert Hewitt now upter at WOVO-WGL. Formerly with WBAI, Rochester.

Evelyn Magley has joined continuity staff at WOVO-WGL.

Des Moines.—Paul Elliot has been added to the sales staff of KSO-KHNT, Des Moines. He replaces Leo Fringsblom who has been named commercial manager of WOC, Des Moines, Iowa.

Regina, Sask.—Bill Walker is the latest addition to the CJRM, Regina, announcing staff.

Lincoln.—Chuck Miller, who came the route from junior announcer, has named program director this week of KFAB (10,000 watts) and

KFOR (100 watts), both in Lincoln. Jiggs Miller, formerly on KFAB's programming assignment, becomes continuity chief.

Orville Lee, long timer in continuity, is out. All moves by general manager Don Searle.

Cleveland.—Bill Forman, formerly of WHC, Canton, has joined the WDAH staff of announcers.

New York.—Howard L. Schreiber has been shifted from the CBS network production staff to Radio Sales, Inc., as sales service manager.

Albany.—Jerry McKernan of WJW to Detroit to join selling staff at WMDC, now being managed by Edythe Malmon, his former WJW boss.

Wichita.—Lester Weatherman, former insurance salesman here, has joined sales staff of KFBL.

Robert B. Sligham, telegraph editor of the Wichita Evening Eagle for past four years, is now news editor for radio station KSD, St. Louis.

Canton, O.—Carol Treen from continuity to commercial at WHC. Her place taken by Barbara Bismarck.

Bill Purman, announcer, is WHAR, Cleveland.

Harry Dennis, engineering, is WMAN at Mansfield.

St. Louis.—New face at WTMV include Don Telford, upter; Randall Decker, continuity writer, and Gene Hagan and Mary McKern, news reporters.

Philadelphia.—Larry Thomas has been added as announcer at WDAZ.

Big Springs, Tex.—Hardy C. Harvey, formerly with the KFJL, Fort Worth sales department, is the new manager of KXST, Big Springs, Texas. Station is outlet for Texas State web and Mutual.

Boxtops For Sale

(Continued from page 27)

are getting their boxtops, etc., through the scavenger process or by actually buying the product in wholesale lots and reselling the product at outside with the wrapper or boxtops missing. This, they point out, could be done with much profit. The Eggleson lot, for instance, offers any dental cream carton for 1c. Small tubes of some of the latter brands retail at 10c, while the wholesale price is 5c. If Eggleson can get 1c for the cartons alone it should be able to do as well with a tube of the product, so that it can come out of the deal with a profit of 5c.

As for the scavenger angle it is easy to imagine refuse collectors, if not small-town scavengers themselves, lending themselves to the collection or saving end of this service for the compensation that these new enterprises provide.

Seventy Procter & Gamble, the No. 1 toilet holder of American business, agreed that in the past five years gave prizes to 42,000 persons.

Bottle Radio Awards

Philadelphia, May 28. WFIL's "Radio Awards" (in which five Fortworth sets were given away via random phone calls) which was stopped by order of the Federal Communications Commission six weeks ago on "battery" charges is being revived in a modified fashion. Instead of using telephone calls, listeners are asked to send in answers to three questions concerning programs on the station plus a letter telling which they liked best. Five sets are given away each day.

Boxtop Canteen At Year

San Antonio, May 28

A new half-hour Spanish amateur hour is being presented each Monday evening through KCHO here. Program contents is entirely done in Spanish.

Program is aired for H. & H. Coffee Co. which ties in the product by inviting listeners to vote for favorites, one vote per boxtop.

2 Newspapers Quibble and WWSW Loses Its Daily Program Listing

Pittsburgh, May 28. Station WWSW is right in the middle of a feud between town's two leading dailies, morning Post-Gazette (Paul Brock) and afternoon Press (Joseph Howard). Started month ago with Press' release of local advertising income, violating a law for Post-Gazette. In 1928, a charge which s.m. sheet promptly refused, presenting facts to allege the p.m.'er was killing her.

Prior to P-G's statement, Press had reduced size of program listings to tiny spots for WWSW, which is controlled by Post-Gazette, and station manager Frank Smith protested to Press Editor Ed Leach, pointing out WWSW's cooperation in Press-sponsored MIB Fund broadcasts and its reputation as a testing ground for local talent, a cause which Press radio editor Si Steinhauser has long espoused.

Leach told Smith he had a lot of trust in the light of the Post-Gazette's sympathetic charging Press with "bad play," said WWSW's small coverage and lack of network affiliation did not justify its listing in any form and immediately dropped even the again and eliminated all mention of the station from his newspaper's columns.

Smith then prepared an announcement which he has had broadcast over WWSW at regular intervals. It reads as follows: "Your attention, please. You will find news and listings of this station's programs only in your morning newspaper, the Pittsburgh Post-Gazette, and your afternoon paper, the Pittsburgh Courier-Telegraph. These are the only two daily newspapers which show an on-air distribution against this station, its programs and its artists."

Post-Gazette-Press battle now raging on other fronts as well. Press came out with page one box last week claiming that all the day's war

news appeared in its last edition; Post-Gazette countered with similar claim claiming that very hour in Europe was 11 p.m. in Pittsburgh, time when entire P-G staff was at work on last few editions. In meantime, Smith told the Press gang off the record that "I've just begun to fight."

In presenting importance of station's ruling to Leach, one of Smith's chief arguments was the fact that WWSW this year had won Vanier's plaque for sports showmanship.

F-M LICENSE REALLOCATION

Washington, May 28.

House-keeping of present frequencies and reallocation under the new frequency modulation system was ordered last week by the FCC in a cancellation and recall of approximately 150 licenses.

Instructing the secretary of the Commission to notify licensees of its action, the Government body announced that tickets of certain existing transmitters will be called in "in accordance with the conditions attached in said licenses providing for cancellation thereof without notice or hearing," and that pending applications would be disposed of by Jan. 1 next year. New applications must wait from 4 to 8 weeks, it was said, until new form can be received by the Commission.

As of Wednesday (22) 30 days was given for filing of formal opposition actions by commercial broadcast stations, after which transmitters "shall be deemed to have consented to the change in such frequencies as provided in this order."

WJR
DETROIT
50,000 WATTS
CBS

LEADERSHIP
...in a five-state
area and Detroit

For more information about WJR, one of the sixteen CBS 50,000 watt stations, inquire of Edward Petry & Company.

THE GOODWILL STATION

Follow-Up Comment

Fred Waring tossed off one of his college song programs last Friday night (28), including a piece written specially for Arthur State Teachers college. Composition was hardly a masterpiece, but as judged on a single hearing it stacked up as at least average for a college marching band. Whole college-like idea seems a natural, particularly for the Waring outfit.

Robert Hunter and Joseph Alsop, authors of syndicated column, "The Capitol Parade," and of the fast-selling "American White Paper," gave the Washington live-down on the national defense problem, in a quarter from D. C. on "We, the People." Material was better than delivery. Newspapers were obviously reading, and their "pickups" were stilled. Hunter's voice sounded rather flat and indolent. Alsop had a little more vigor, his recent being on cultured side. Revealed some interesting angles.

Alma Eichenlaub, publisher, but "Washington Journal" over NBC blue (WJL) last Tuesday (27) from a United Airlines plane flying over New York City. And although it was technically imperfect, it provided a definitely plucky reason for the famous audience snafu. None of the plane factors was much too loud to the early part of the program, but that was corrected after a time and thereafter added, eventually, vivid scene-setting. Mrs. Eichenlaub sang one song, with Irving Miller's band orchestra accompaniment out from the studio. Guests on the plane included Mary Lewis, stylist and fashion director of the N. Y. World's Fair; Mrs. Jessie White Foose, a gaily sightseeing spinster; Ellen Church, supervisor of nurses at the Milwaukee County hospital; and the original air stewardess take was flown to New York for the broadcast, and Miss Gadsden (Aerilla Dunsen), NBC's roving female reporter, who reported breathlessly a One-White-Girls hit from Pittsburgh about the local group of "Lillian Russell." Broadcast consumed considerable time into the 20 minutes.

Theodore Brown is another NBC maker recently broadcasting from Berlin. William C. Kerkar usually

bring the other man. On one short, Brown described the military picture in football terms, talking Adolph Hitler as "quarterback" and making few, if any, mistakes.

Bob Ripley originated his show from Santa Fe last week (28), with Governor of New Mexico John E. Miles, an ex-governor sheriff, and an Indian chorus as guests. It was bright entertainment, with somewhat good-will value for Royal Crown Cola in that region, although the production was rough. Ripley's off-out jabs about General Lew Wallace was considerably elaborate at its production, and it had a couple of dead spots, with one bad pickup. Bob Ripley and the guy became impromptu on occasion. The whole was a very good thing, however, and Lina Lee's rendition of "The Quaker Girl" was a solid stick at snail.

"Beat the Band," with Ted Weems' orchestra Sunday night over NBC (WEAF), continues to be one of the better examples of the quiz formula. It's bright, lively and easy to follow, but would be further improved if some way were figured out to establish the identities and personalities of the Weems band members. The commercials are somewhat super-cumbersome.

Mrs. Jessie Marrow broadcast on a CBS transatlantic from London, a picture of food situation in England. Mentioned that bombing in Netherlands had destroyed one thing which surprised Allied authorities: it headed to "dry up" cows, making them unproductive.

Ford Summer Show has smoothed the technical snafu evident in its debut shows, but there are still large blank spots between musical numbers. As tonight Sunday night (28) in its second edition, the program apparently would be improved by continuous, soft orchestral background during the between-song spots and in some instances a musical sweep would bridge the numbers more impressively. Ingredients remain plucky, with James Drayton, James Hewitt, Lela Stevens and the orchestra and chorus, and Budd Huck and Linton Wiles all

satisfying. It's still just a matter of polishing. Commercials again fairly gaily compressed.

Raymond Folger's orchestra of 110 men (Washington) was nicely supported last week by the operatic voice of Josephine Anderson and a student soloist, Joseph Rizzo, from the New England Conservatory of Music. These elements blended impressively and well with the orchestral tone of the half-hour. Less desirable was the local Pittsburgh chorus, which has yet to display a satisfactory volume level in live time radio terms. Oddly not himself, but to Dennis Taylor, who in some seasons is assigned the incredible task of leading the Taylor's band of trading party and on this hearing had a role for the Red Cross. Washington, as the producer, seems to be cramping Taylor's style—but look, Folger's orchestration and vocal musical efforts remain attractive and absorbing. The spoken script tends only to be as lively and as progressively sure as the music and this program will be in the clear.

NBC's Town Hall (removing a possible loss of its popularity) has carried on several occasions this season to various experiments to vary the straightaway production pattern of the program. The latest week last Thursday (28) fairly assessed of "Team-up." Before the meeting started two speakers, available-partners and answered, topped up with questions. Although wholly out of order, and transparently plain, George Deney recognized them. It was a moment that must have suggested to many listeners that Deney probably had dinner with them before the meeting. It would seem probable that any adventure in showmanship that Deney, or might convey, a suspicion that a serious forum is pre-arranged rather than spontaneous is likely to destroy audience confidence and plant fatal seeds of doubt. On the other hand, purely as a radio trick, Deney's idea of using prearranged questions flung at the meeting and the speakers before either starts to play—the had stage management is in trying to lead intelligent listeners that anything as dramatic as a bona fide audience question. Let the pricing be properly identified as a ploy.

Peggy Woods' Gossiping Bee, over NBC blue, brought an absorbing discussion by three female guests of "Youth in Crime," with special attention to juvenile delinquency and child training. Making this program a bit difficult to follow is that the women not only speak rapidly but frequently do not address one another by name. With voice differentiation not too marked (although Miss Woods' can be spotted easily), it's sometimes hard to know who is talking. Toward the end, names were repeated more regularly, on last week's show, Lydia Manning, Lady Armstrong, and Sally Louise Jean, president, were guests. Juvenile problems will be further explored on future Bees.

Jack Malachuk, 20th Century-Fox p.a., was a "Question of the Week" participant on Fred Allen's program, the second time in recent months. First time was when in New York to publicize personal appearance of Louella Parsons' error. Last week it was to belittle "Lillian Russell." Allen, referring to fast Malachuk beat drum for comedian's previous picture, cracked that he managed to get Allen in ordinary column of a Pasadena paper, thus letting many people know "I had died, artistically."

Maybe because it's the Sabbath, but the bands all through the day sound better over the air. Due to music, as far as abstract audience values are concerned, in the moderation of the rhythms. For example, Xavier Cugat as this past Sunday's Show-of-the-Week emcee (Howard Clinch), made an excellent interview, aided by his song-stem-wife, and besides which the couple on the Latin tempo was colorful and distinguished. Leon Keller from Chi was likewise swell. Even the Village Barn, a Greenwich Village nibby, belied its humble billing with Jack Deney's religious strains, a new style being featured by that vet between. Including plenty of special arrangements to point up the style. Another point, west bend, in the Latin school, is Carlos Molina's, not exactly a Cugat road company, but possessed of its own individuality. And one of the best, also from the Pacific coast, is Ray Rube's crack combination emanating out of Frias.

Alma Eichenlaub, star and co-author of "Sensational Stories" at the Mansfield, N.Y., passed Sunday night (28) on "Take It or Leave It" over CBS. He and Bob Hawk were kinda rule in working in a play for the light comedy, Hawk reminding the listener that they couldn't mention the show on a commercial program, adding that if they did the listener would put them in separate rooms. Also managed to work in the rest of the pertinent info.

Alexander W. Dornstien, WFIL, Philadelphia jockey, back at his desk after recuperating from injuries suffered when he fell from his horse two weeks ago.

HENRY AISLEY
"Enter Henry Kramble"
Wink Ann Cullen, and not
Dramatic

45 mins.
Tuesday, 10:15 p.m.
NBC, London

Way story went the great Henry Kramble had no wish to act; the way he would treat the equally favored Henry Aisley should refrain from radio unless provided with a better script and a more professional standard of production. Listeners expect something of a name such as his. Each story and star married Henry treatment than this pretty job loosely directed.

Radio play concerned an incident in the life of the famous Miss Kramble amount 1820 when a theatrical parent provided her into achieving lasting success on the English stage. Aisley had the parent role, Ann Cullen, also of light, voiced as the then-young actress. Kramble used a narrative for scene painting, but not throughout, only in the most unexpected places. Music broke it up elsewhere, and to make it even more difficult to follow some scene shifts were drifted straight in. Interpolations of Shakespeare is probably the same tempo as the play itself added to the confusion.

Mildred Kramble was one of the theatrical greats of the early 1800's. Henry Aisley held somewhat similar calling for early 1800's. He is a "prevention" even through a mile, and a voice with the qualities of Ann Cullen.

"CARTON-O"
With Bill Ames, Floren Andes,
Harold Stokes work.
45 mins.

NATIONAL TEA STORES
Thursday, 10:30 p.m.
WGN, Chicago

(Buckminster & Scott)
"Cartoon-O" replaces a similar show for National Tea named "Nations." Orchestra plays a tune and the listener must identify the title of the song through a cartoon which indicates the title. Each "Cartoon-O" card contains 25 such cartooned titles.

Cards can be obtained free at the National Tea stores, and the first 1,000 cards with names properly identified are worth grocery prizes. Also on each card the listener writes her name and a 15-word slogan, and from these cards the sponsor selects four cards which are worth from \$50 to \$200 when the names are read over the radio. Truly rich is that the person whose name is read must phrase in within seven minutes to claim prize. It's all pretty complicated but there is sufficient money and prizes to keep the listeners' attention.

There is plenty of action on the show, names being read, times being played, names humming and hinting at titles, guess laughing, bells ringing, triumphs being awarded. It's pretty much a three-ring circus but no one can say the program is slow or dull. The 45 minutes move fast, the titles are simple enough and the show is a clinic to garner listeners.

Handling the show are three capable Chicago personalities: Bill Ames as m.c., Floren Andes for the commercials and the Stokes orchestra which turns in a particularly fine job of making entertainment out of the short choruses of pop songs assigned to them.

Gold.

WNAX Feeds Show

To Omaha, Shenandoah

Yachins, E. D., May 28.

WNAX is feeding a quarter-hour musical show for the Quaker Petroleum Co. Friday night to KOWH, Omaha, and KHA, Shenandoah.

Bob Howard, of WNAX, is the m.c. and the rest of the cast consists of a six-piece novelty orchestra, the Firing Arrow vocal trio and George R. German, cowboy ballad singer.

GRAND VARIETY GALE
Buckley and Landover, Arthur Aisley,
Ann Cullen and Webster Smith,
Stanley Holloway, Ben Lyon and
Bob Kramble, Frances Day, The
Oliver, Teddy Brown, Flanagan
and Allen, Florence Desmond, Max
Miller, Gracie Fields

Variety Artists Benevolent Fund
Monday 8 p.m. (May 29)
BBC, London

Two hour romp aired from the Palladium theatre had listeners of grade ranks in small and new, pleasing the house and providing good listening over air.

Flanagan and Landover and Landover opened. The big city must be developing Hollywood traits in that, Flanagan provided the next act, Arthur Aisley, with most of his material, radio music having each one of them in with a film. Flanagan guests Ann Cullen and Webster Smith were on the two numbers, followed by Stanley Holloway, worth country dialect comedies. He took to his "Sam Small" routine for one act, following with an "Old Soldier" rhyme built on a willow theme.

Ben Lyon and Bob Kramble did one of their matrimonial sketches that clicked impressively; pair are stand-out favorites here, apart from the spontaneity and excellence of their material. On this occasion Flanagan was back was their satire and Lyon trucked through the sketch as lumpy, housekeeping husband.

Sometime Flanagan Day used her poetry-making routine to ring moment in an chorus singing of old-timers; she ended with "My Love For You." First half of the show closed with Vic Oliver, inveterate gagster who cracked that he was traveling by bus these times to save money; in a year he might in have enough to go and see "Come With the Wind."

Teddy Brown, acrobaticist, was on when singing was resumed, giving way to Flanagan and Allen in role of Isaac's customary comedy act. George Black, presenter of the show, was on in at this mark to appeal for listener contributions to the Fund. Comedians resumed with travesty mimicry of Florence Desmond; she included a ribbing of Frances Day, appearing in the show. Max Miller, his billing in London being "the chunky chimp," makes an art of the blue-tinged stuff to a point where audience does all the laughing—and they love it. Show was closed by Gracie Fields. Star's material at this hour was unusually straight, in a degree that performer herself commented on the absence of comedy stuff, explaining she was being Sundayish.

"YOUR VOICE AND YOU"
With Elsie Mae Gordon
Educational
45 mins.

WJZ-NBC, New York

"Your Voice and You," written and produced by Elsie Mae Gordon, falls into classification of self-improvement programs. Carries touches of showmanship. Notably when persons in studio audience—women predominate but some men, including colleagues, are present—come to the mike and have flaws or good points in their voices pointed out. A Dr. Frischman, voice teacher at City College, New York, did a particularly smooth job on this. In interviewing studioites and picking particular sentences which he thought they had or had not uttered with sufficient force. Made them repeat.

He led up to the point usually but skilfully, via questions on occupations, hobbies, etc. Program is not tightly staged; there is a certain amount of informality.

Jara.

Ralph Edwards' Renewal

Ralph Edwards' "Truth or Consequences" show on CBS for Ivory Soap has been renewed for a second 13 weeks effective June 22. Airs Saturdays, 9:35-10:15.

Compton's the agency.

THE AMERICAN PANORAMA

★ ★ ★ ★ ★

America
PLAYS
SINGS
SPEAKS
REMEMBERS
SALUTES

featuring
**ANNE JAMISON
ENOX MANNING
TRUE BOARDMAN
BILL ROBERTS
EDWARD KAY**
His Orchestra and Chorus
—and Cast of Radio's Outstanding Dramatic Players

Directed by I. DONALD WILSON
Continuity...Buckleigh Oulard
Dramatic Editor...True Boardman
Historic Research...Virginia Reher
Original Score...Edward Kay

Production Under Supervision of
HARRY DAVID FIELDS

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Well Balanced!

WFIL's increasing listener audience is based upon a well balanced radio fare. Free from long hours of aerials, hours of baseball or hours of recordings, WFIL's listeners enjoy well balanced entertainment with NBC Blue and Mutual networks. Philadelphia's best buy.

WFIL, probably the only station in town with an ever-balanced schedule.

—Phila. Record.

WFIL...only station that only is between the middle.

—Philadelphia.

WFIL

Radio Showmanship

(Local Programs, Tieups, Ideas)

VARIETY

Spotlight on—

WJR, Detroit

Gimme Ban Program

Detroit

Mrs. Page program, a purely commercial show aired 15 minutes daily for the past 10 years over WJR here, this Saturday (3) takes on a new tack, with 12 women listeners taking over as "Mrs. Page for a Day" while Mrs. Page (Bath Crane) goes on vacation. Friends will be brought to Detroit, all expenses paid, given an extra \$10 for broadcast as well as a recording of their program.

Idea belongs to Owen Bridge, assistant general manager of WJR, who decided he'd like to find out listeners' reaction to a program, in which every household had and women's problem discussed in advertising, pure and simple. Miss Crane divulged the plan to listeners last week, asked them to submit scripts for their own idea of how program should be conducted, and in one week was swamped with over 400 "extraordinarily well-written" scripts.

In addition to the 12 women picked to conduct the program on different days, at least 50 others will receive \$5 each for entering scripts, thereby giving Mrs. Page right to see "you in future broadcasts. Program has had long waiting list of advertisers for several years.

For the Bidden

San Antonio

The First Federal Savings & Loan Co. is promoting a new series of programs on WQAI. Title is "Through Childhood's Looking Glass." Poems will be read by Pat Flaherty while Ted Brown is at organ.

Audience participation angle: listeners are invited to submit the wise sayings of their offspring. Hoyt Andre will handle this side of the program.

Page Up People Forum

Peoria, Ill.

Discussion of questions and comments telephoned in by listeners during the program is giving new interest to "The People's Forum," weekly 30-minute informal round-table series over WQED, Peoria. Idea developed spontaneously, but is now a regular feature of the show.

Four representative local residents are invited to participate in discussion of timely questions, usually of local and controversial nature, for the weekly stance.

Rays Gale Sparks Interest

Milwaukee

With a view to future commercialization of a program that is currently

sustaining, WTMJ began Monday night (27) to build up women appeal for Charley Nevada's nightly 10-15 minute sports broadcast. Not only will women in sports be given more attention in the nightly resume, but a contest angle has been evolved to intrigue female interest.

Women listeners will be asked each night to finish a sentence beginning for instance with "Ray Shamrock is, or 'Bill Tilden is' or some other sports star is, to be finished in five words all starting with the same letter. Nine best replies each night will be awarded nine like prizes—a cultural device known as a News caterpillar, which is a 'literary' addition to any housewife's reading equipment.

Quantity of replies received will be a factor in determining how valuable the program might be to these buyers.

Advance listener interest has been built up by having Charley Nevada burst in on distinctly women's programs during the past week to announce a "Nine Every Night" gift for women hearing his sports broadcast starting Monday.

PHILLY'S MAYOR
SNUBS RADIO'S
'OPEN HOUSE'

Philadelphia, May 28

Philly radio execs are burning over Mayor Robert E. Lauder's open snub of the evening "Open House Week." First blunder ignored their request that he have a proclamation informing the citizens of Philadelphia of the event. Then he turned them down cold when they asked that announcement of the celebration be played in lights on the side of City Hall in line with courtesy given to other quasi-public events.

To the latter request Mayor Lauder replied that the electric signs were restricted only to events "affecting the public interest."

It was this reply that formed the blind pressure up along Radio Row. Broadcasters pointed out that only a couple of weeks ago all four sides of City Hall announced in electric lights the opening of the Flower show—a private enterprise for which 75 cents admission was charged—while the radio "Open House" was an educational and good will gesture to the public entirely free of charge.

Theme For Call Letters

Richmond, May 28

WRVA has inserted a novel touch in its station-identification announcements. While announcer is giving call letters, point to background song "Carry Me Back To Old Virginia".

Snout has earned favorable comment from many listeners.

BIG TALENT RALLY FOR
DETROIT WAR RELIEF

Detroit, May 28

One of most pretentious benefits ever offered here, lasting over three hours and highlighting raft of some entertainers, netted over \$4,000 for Red Cross war-relief fund last Tuesday evening (22) over WWJ. Show emanated from three spots, WWJ's radio theatre, Jefferson Beach outdoor dance spot and Saks lobby.

Arrangements permitted entertainers in various sections of Detroit to hit some between regular shows at local amusement spots. With Ty Tread, WWJ's vet announcer, handling Jefferson Beach roundup presented Carroll and Gorman, Mary Ballers, from Blossom Heath; Carl Banner's band, Preston and Blake Lumber and Arto Kent, from Club Royale; Alvin Ray's band, Four King Sisters, Skeets Hargrett and Dick Morgan, from Jefferson Beach; Wanda Warren and Frank Reynolds, from Club Lido, and Minnie Drake, from Club Palm Beach.

From Saks were heard Carlton Hanch's band, June Kenna, Don Harris and Lee Mason. Broadcasting from WWJ's studio were Ted Lewis, then at Fox Theatre; Maxine Sullivan and Jimmy Rushell's band, from Colonial Theatre; Vic Abbe, Four Californians, from Buck Cadillac's Mitty Bar; Harry Richmond, from Beverly alley; Anne Janine, from Club Monaco; Carmen Cavallaro, from Hotel Statler Terrace room.

In addition, the following WWJ artists took part in benefit broadcast: Ole Pearch's band, Vera Richardson, Paul Leach, Rosemary Calvin, Herman Russell, Marie Clark, James Barrett, Mocha Kertter, Victor Lindhart and John Murray. Tolls by Detroit News staffers including R. L. A. Marshall, Russell Barnes, Anne Campbell, H. C. L. Jackson and George W. Stark plus Mickey Cochran former manager of the Detroit Tigers baseball team, helped link long chain of music and entertainment.

Lake-Skyline-Cable, Inc., is the agency on the Plough Drive Janitor who cleans over the South Central Quality Network Saturday nights. Programs are aired from the Memphis Municipal auditorium and there's an admission charge. Duties consist of WMC, Memphis; KARK, Little Rock; KWCH, St. Louis; and WMBD, New Orleans.

CLUBWOMEN CONVENTION

More Radio In Their Club—Dugout Show A Highlight

Milwaukee, May 28

Radio, pictures and the drama all came in for attention at 4,000 women gathered in the Milwaukee Auditorium for the national convention of the General Federation of Women's clubs, and Caryl Chessin of the University of Wisconsin urged that pressure be exerted upon the radio networks for more educational and cultural programs.

"Radio is the greatest force in the world today," said Mrs. F. H. Clausen, chairman of the Federation's department of American citizenship. "We used to ask for time on the air and when we got it we didn't know what to do with it. Today, however, we make a thorough study of radio technique, select competent speakers and insist upon worthwhile subject matter for we appreciate radio's tremendous value and every minute before the microphone must count."

Mrs. Arnetta F. Bart of Missouri, chairman of the Federation motion picture division, warned the clubwomen to be on guard against foreign propaganda pictures, describing them as "a most malignant cancer endangering our national peace."

Ethel Backwell of the University of Wisconsin emphasized America's need to stimulate regional drama.

Are attraction for the clubwomen's big meeting was Dupont's Cavalcade of America making its regular Tuesday night historical broadcast from the convention hall, with Helen Hayes here in person to dramatize the life of Jane Addams of Chicago's Hull house.

Ed Kirby Praises Radio
Script Exchange Of
U.S. Office of Education

The National Association of Broadcasters, under the signature of Ed Kirby, has circulated "Open letter" to educational broadcasting, calling attention to the jeopardy facing the Office of Education's radio activities. Congress, points out Kirby, has eliminated the \$44,000 appropriation, slashed by the Budget Bureau and left the O. of E. high and stranded, and with a further handicap in the form of a clause denying WPA to make any radio projects.

Kirby urges that friends rally to save the Office of Education activities through appeal to the last resort, the Senate Appropriations Committee. Importance to all educational radio and also to small commercial stations of the Script Exchange maintained by the Office of Education is stressed by Kirby.

Congress has been teasing into the Government bureaus using radio and an aftermath to the bad publicity of the Interior Department's ill-starred "What Price America" attack on the petroleum industry, which has been denounced as unfair tactics against private industry.

Hospitals and Flowers

Peoria, May 28

Station WMBD proclaimed "Lily Day" for May 27 and listeners sent in several truckloads of the flowers. Staff members spent the day delivering the lilies to local hospitals and churches.

Short-wave remotes of the delivery service were broadcast by the station.

Peoria—Clifford E. Mackley, of WMBD's engineering staff, has become a factory rep at RCA, specializing in public radio systems.

MARMOLA FINDS
STATIONS
SCARED

Street & Finney agency is encountering difficulty in getting stations to accept its latest spot announcements campaign on Marmola. While it's generally admitted that the copy itself is ineffectively phrased the majority of stations approached recall the wholesale advertising administered by the Federal Communications Commission some years ago on the subject of plugging Marmola and in consequence thumb down the bids for time. Stations that have accepted the unsolicited announcement campaign total 13 to date and in all cases the markets are small.

The product went on the FCC's unofficial frozen list in 1933 after the Federal Trade Commission had issued a cease and desist order. The manufacture of Marmola, the Radiant Co., fought the case up to the U.S. circuit court of appeals in Cincinnati and obtained a favorable decision.

A sample of the copy used by Marmola in its current minute transmissions follows:

Announcer

The treasured answer is a weighty problem. Mrs. Brown visits her next-door neighbor who wears your sport . . .

Mrs. L.

Oh, Mrs. Brown, I don't think my husband loves me any more.

Mrs. B.

Oh, nonsense!

Mrs. L.

No, it isn't. He said I'm getting too fat—that I'm not the slender, beautiful girl he married.

Mrs. B.

Why don't you try to lose that extra fat?

Mrs. L.

How will I do it? I simply can't bear the thought of strict diet and strenuous exercises.

Mrs. B.

Then why not investigate the Marmola way of losing extra fat?

Announcer

A brilliant suggestion! Life takes on a new glamour if you lose extra fat the Marmola way—that is our specialty and take Marmola, under the conditions and according to directions on the package. During the past thirty years more than twenty million packages have been sold. Marmola is only for adult fat persons who are otherwise normal and healthy and whose future is caused by a thyroid deficiency. No diagnosis is attempted. Consult your physician for that purpose. Why don't you try to lose that extra fat the Marmola way?

Mexicans Get War News

San Antonio, May 28

Radio Station KMAC is broadcasting war news in Spanish.

Sponsored by the Mexican Chamber of Commerce of this city.

WBAL
means business
in Baltimore

'THE O'NEILLS'

LISTEN TWICE DAILY

WBS Red Network, 12:15 to 12:30 P.M. EST

IN 7

8:45-9 P.M., EST

COAST TO COAST

200 SPONSOR ANYTHING AGENCY

NGT. ED WOLF—RKO BLDG., NEW YORK CITY

ANOTHER WKY ADVERTISER SAYS IT IN EXACTLY 25 WORDS!

I LIKE WKY BECAUSE

Our first quarter Radio-Down sales are 12.18 above last year and "Breakfast Briefings" over WKY is the only Shiner advertising being done in this area.

Wayland R. Dickinson
Wayland R. Dickinson
District Sales Mgr.

WKY
OKLAHOMA CITY

OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING COMPANY ★ REPRESENTED EXCLUSIVELY BY THE KATZ AGENCY, INC.

Eighteen spot announcements a week over WKY tell Oklahomans about Shiner's Radio-Down and Macaroni products. The record book reveals a sales story which Shiner's representative reports as "an increase in my Oklahoma territory on Radio-Down sales that to my knowledge is a better showing than has been made in any other territory." WKY has had a regular place in Shiner's sales plan for 18 months because it has demonstrated power to do a big sales job.

RADIO BOXOFFICE REPORTS

BALTIMORE

(WBAL, WCAH, WCEM, WFBZ)

Network	Local	National	Total
Units	Units	Spot Units	Units
1,800	5,141	2,208	19,028
1,832	5,483	2,231	19,546
+1.6%	+6.6%	+1.1%	+2.7%

Some slight pick-up here on network and national spot count, but offset in drop in local units.

WBAL

Home schedule of Baltimore Orioles for Wheaties and Atlantic White Fish.

WFBZ

Gulf Stream, through Young & Rubicam, two quarter-hours weekly.

Fels & Co., through Young & Rubicam, daily 15-min. newscast, "Community News and Views." Program originally set at neighborhood level, but participating sponsorship will continue with strictly localized news and will drop commercial spots for lone plug by Fels.

Dodge, through Rothrock & Ryan, announcements.

DeBate, through J. Stirling Getchell, announcements.

WCAH

"True or False" program was given a public broadcast at the Auditorium theatre here Monday (27) by WBAL. Team representing a ladies' bowling league was pitted against a pit crew of Grade ballplayers.

CHICAGO

(WBBM, WDCB, WGN, WND, WJJD, WLS, WMAQ)

Network	Local	National	Total
Units	Units	Spot Units	Units
8,205	5,158	16,000	29,363
8,305	5,155	16,000	29,460
+1.2%	-0.1%	+0.0%	+0.3%

* No change.

Business continues slack.

WBBM

Nelson Bros. Furniture stores, through Hartman agency, 20 min. on Sunday, four weeks.

Long Products, through Gouffain-Cook, three quarter-hours.

General Foods, through Young & Rubicam, daily 15-min. quiz show.

Kaiser Grocery, through Ralph Jones, two daily quarter-hour word serials.

CINCINNATI

(WCPO, WKNC, WLW, WSAI)

Network	Local	National	Total
Units	Units	Spot Units	Units
4,515	8,246	2,800	15,561
4,625	8,304	2,800	15,729
+2.4%	+0.7%	+0.0%	+1.1%

WSAI

Gulf Oil Co., through Young & Rubicam, "Jack Beale & His Gang," transcribed series of twice-weekly quarter-hours.

National Biscuit Co., through McCann-Erickson, six "Milk Believe Biscuits" half-hours weekly, 12 weeks.

Mahley & Carey, department store, 15-min. interview program.

WCPO

Smith & Co., through J. Walter Thompson, "Sales Meeting of the Air," spot announcements for Sherrill's.

Dealers, Thompson Hearing Co.

Citizens Republican Club of Clermont County, 15 min.

DENVER

(KFEL, KJZ, KOA, KVOS)

Network	Local	National	Total
Units	Units	Spot Units	Units
1,340	4,250	1,200	12,810
1,363	4,300	1,220	12,883
+1.7%	+1.2%	+1.7%	+2.7%

KJZ

Armour & Co. (Travel), through Lord & Thomas, 150 quarter-hours.

Martens' Biscuits Co., through Bell & Davidson, five temperature announcements daily, 12 weeks.

Joe Albert Clothing Co., through Ted Levy, two 15-min. and one 15-min. programs weekly, 12 weeks.

Salem Tire & Oil Co., through Bob Britt agency, 20 15-min. spots.

Moller Puro, through Max Goldberg, 20 announcements.

Kendrick Bellamy Co., through

Walter Eba agency, 25 announcements.

Spotlighted, 12 one-min. spots.

Lebe & Fink, through Wm. Eby, five announcements.

KOA

Dorner Dairy Council, through Bob Bells agency, 12 quarter-hours of "Singing Milkmen."

Moller Puro, through Max Goldberg, 20 announcements.

KFEL

Baptist Pastors' Quartet, 12 half-hours.

Each of the following signed for 10 announcements: Foster Auto Supply Co., Denver's Tropical Inn, Royal Crest Dairy, Colorado Love Clothing Co., Pig Parlor, E. H. Olmstead Reside, Home Building & Loan Association, and The Shady.

DES MOINES

(KSTP, KSG, WIG)

Network	Local	National	Total
Units	Units	Spot Units	Units
7,440	3,120	4,711	15,271
7,440	3,115	4,710	15,265
+0.0%	-0.2%	-0.0%	-0.0%

* No change.

DETROIT

(CELW, WJLB, WJR, WMBR, WWJ, WXYZ)

Network	Local	National	Total
Units	Units	Spot Units	Units
8,815	11,614	4,414	24,843
8,823	12,000	4,411	25,234
+0.1%	+3.3%	-0.1%	+1.6%

General shuffling off in his position, but it's considered purely seasonal and not alarming. But weather, which has controlled Tiger baseball games of late, has been a big factor in the dip of national-regional in at WWJ.

Long-range view on local has been in that Detroit automotive plants, holding key to U. S. defense plant, will soon be giving full blast turning out war materials for both U. S. and foreign powers. Officials expect hefty influx of out-of-town workers, since shortage of skilled mechanics is acute here.

HARTFORD

(WDRG, WHTT, WVIC)

Network	Local	National	Total
Units	Units	Spot Units	Units
7,220	1,990	1,811	11,021
7,315	2,010	1,809	11,134
+1.3%	+1.0%	-0.1%	+1.0%

KANSAS CITY

(CKCM, KCMO, KJTB, KMBC, WDAF, WJIB)

Network	Local	National	Total
Units	Units	Spot Units	Units
8,445	8,807	7,021	24,273
8,475	8,823	7,040	24,338
+0.4%	+0.2%	+0.3%	+0.3%

Trend toward linearity continued in past few weeks continues with only minor changes in billings. Significant upping in national spot for due to KJTB tapping this department over two full hours; KMBC and CKCM also stimulated this department.

KCMO

Club Plantation, new night club using baseball series nightly following E. C. Blum play-by-play.

LOS ANGELES

(KPCA, KFI, KFWB, KRL, KMPC, KNX)

Network	Local	National	Total
Units	Units	Spot Units	Units
10,671	11,584	1,742	23,997
10,722	11,581	1,744	24,047
+0.5%	-0.0%	+0.1%	+0.2%

Not much of a stir in the local field the past week, the total showing a slight rise. Only two stations reported any appreciable new business.

KNX

Morrell Jackson Co., through

How Units Are Figured

Dollar volume is quoted from these reports. So, too, are the percentages of individual stations. Grouped market figures only are given.

One minute of commercial time is figured as one unit. Thus a sponsored hour is 60 units, a half hour 30 units, and so on.

Charterhouse, time signals, spot announcements in participation programs are included as one unit each.

Henri, Hurd & McDonald, 25 five-minute "Top News Stories."

Longwood Bakeries, through Lew Livingston, 10 time signals.

William and sons, through Ted Dill, 12 participations in newscasts.

Royal typewriter, nine one-minute spots.

KFWB

Pepperidge Foundation, 20 half-hours.

National Schools, through McCarty Co., five one-half programs weekly.

Goldstone Distributing Co., 104 announcements.

NEW YORK CITY

(WHR, WMA, WHEW, WOR, WQXR)

Network	Local	National	Total
Units	Units	Spot Units	Units
100	8,570	15,317	24,027
70	8,596	15,770	24,433
+0.0%	+0.3%	+3.0%	+1.6%

* No change.

Due to national spot, due mainly to WMA's broadcast of the New York Giants ball game, helped total units show another small gain.

WHR

A. B. Campbell Cleaning Co., through A. B. Landau, 20 announcements weekly.

Jackie Sopper Brewery, through Rothrock & Ryan, station breaks.

Biggie Tobacco Co. (Short Cigs)

retel, through M. H. Buckett, participation in "Chatterbox Hour" quarter-hour weekly.

Shakers' Thinsies, through Blaine Thompson, spot.

Major Bread, Inc., participation in "Early the Skipper, Once quarter-hour weekly."

WHEW

Curtis Bakery, through Samuel C. Crout, 20 announcements.

Kristen Beverage Co., through A. W. Lewis, six quarter-hours weekly, David Lewis' "Sound Truck."

Dodds, through Rothrock & Ryan, 25 units.

Gulf Oil, through Young & Rubicam, two quarter-hours weekly, Jack Beale and His Gang' diary.

Weyburn Lake, through Radio Ad. Corp., 15 announcements.

Magazine Reporting Race Corp., through J. M. Nathan, participation in "Make Believe Ballroom."

Support Brewery, through Rothrock & Ryan, 12 announcements weekly.

WMA

Eastern Wine Corp., through H. C. Martin, 10 announcements weekly, 12 weeks.

Sally's Food, Inc., seven half-hours weekly, featuring Wm. Shaw, Jack Egan, and Lay Grant's work.

Kinmonth Chemical Co., through Kluger Advertising, 11 five-minute newscast weekly.

Christian Science Committee, renewal of 12 Sunday quarter-hours.

Cushman's Bakery, through Samuel C. Crout, one-min. spots.

Roma Wine Co., through Birmingham, Carleton & Perry, 20 announcements weekly, 12 weeks.

Dodge, through Rothrock & Ryan, spot.

SAN ANTONIO

(KABC, KMAC, KONO, KTRA, WQAI)

Network	Local	National	Total
Units	Units	Spot Units	Units
3,603	7,414	2,370	13,387
3,648	7,344	2,380	13,372
+1.3%	-0.9%	+0.4%	+0.1%

But this past week took a slight

Inside Stuff—Radio

Associated Music Publishers, Inc., got a judgment of \$1,540 against Jacob H. Barker, Jr., sales agent for its transcription library in Australia, from Justice Samuel C. Coleman in the New York city court last week. It was Barker who had filed the original suit for commissions he alleged was due him from Associated, but the latter countered with a claim of its own.

The court allowed Barker \$1,740 as due for his services in selling the library to Australian stations and giving renewed content and upheld Associated's counterclaim against Barker for the sum of \$1,540. It was disclosed that Barker got 60% on the original contracts with stations and during the trial Associated agreed to increase that remuneration by \$200 to cover the contract renewal.

After putting on but one installment of the series, WDR, Newark, has completed the morning program framed around Tommy Dorsey's recordings. The program was tagged "Midnight in the Morning."

Reason given by the station was that it wanted to swell and see what action the American Federation of Musicians would take on the question of broadcasting phonograph records at its Indianapolis convention next week. Also that Dorsey was angling for an NBC side out of his present spot, the Arlon hotel, N. Y., in place of his present Mutual release.

Lawson & Mitchell is talking a five-year deal with Walter Winchell for Jergens, with the usual amount options of course, but the idea is to circumvent any seasonal perils on even conditions, etc. A consideration also would be permission for Winchell to broadcast from Miami up to 18 weeks each winter, instead of eight as now; the sponsor paying the wire charges. Gross value of such longterm, if fully exercised, would aggregate \$1,200,000 to the columnist.

Edwin Rickensacker, airline veev and World War ace, last week turned down a request from Mutual to do some comment on aviation defense needs for the country. He explained that he has been too busy with other matters to do this and make a thorough analysis and interpretation of the situation, and gave Mutual assurance that if at any time he decided to broadcast on the subject he would do it over that network.

Pinky Hunter, co-announcer of Cleveland Indian baseball games via WCLE and banded early in spring with pneumonia, is back home after a lengthy hospital stay and is slated to go back on the job early next month. Bud Kleiman, station program director, has been working with Jack Greary during the Hunter absence.

Laystone Kite is now writing "Young Walter Brown" serial for Super agency over NBC spot (WEAF). Blackie Sample-Hummett is the agency. Laystone is a son of the late Mel Kite, ex-captain blackhawk comedian. He appeared for a time with his father. He's been writing for radio for some time.

Wallace, the Buick record, approximately 100,000, is being used by Sanyo through Mutual for only the east and the west coast. The Sanyo Creamery Co. has lined up for 18 midwest stations with WGN, Chicago, included.

Roberta Sample, daughter of Anne Sample McPherson, who got her original name just during research for Nicky Laker, is now as assistant to Carol Dixon, who has charge of daytime programs for Young & Rubicam.

James Cox, commercial manager of WAVE, Louisville, is this week observing his 10th anniversary with the station.

opening in all departments, with sizable gains expected in the next several weeks.

WQAI

Interstate Theatres, through Thomas Conroy agency, announcements for 12 weeks.

California Fruit Growers' Exchange, through Lord & Thomas, announcements.

Kruschev Sales, through Edwin Werry, five announcements weekly; General Electric, through RBD&D, 12 one-min. spots.

Eastern Business Institute, 10 announcements.

Procter & Gamble (Camery), through Procter & Ryan, "Women in White," daily worded quarter-hour.

Procter & Gamble (Dettol), through Blackie Sample-Hummett, daily 15-min. "Lone Journey" transcription.

First Federal Savings & Loan, through Chandler-Moeller-Groves, "Through Children's Looking Glass," quarter-hour weekly.

Jackie's Men's Store, through McCann-Erickson, renewal of announcements.

Armour & Co. (Travel), through Lord & Thomas, "Travel Travel," three quarter-hours weekly.

KABC

Daily announcements for Tropic Dry, Victory-Wilson, Traction Tire & Marble Co., Sub-Serve Dept. Store, Tropic & Travel Co., Dr. Roman (physician), Blue Room, Jack Co.

KMAC

Daily announcements for Tropic Dry, Victory-Wilson, Traction Tire & Marble Co., Sub-Serve Dept. Store, Tropic & Travel Co., Dr. Roman (physician), Blue Room, Jack Co.

SALT LAKE CITY

(KJVL, KSL, KUTA)

Network	Local	National	Total
Units	Units	Spot Units	Units
5,801	2,800	1,410	19,928
6,371	2,802	1,360	20,533
+1.0%	+0.1%	-3.5%	+3.0%

KJVL

Fisher Baking Co., direct, "Fifty Years Health Club" a 15-min. recorded exercise program.

Announcements for:

Thompson Indian Trading Co., 20, Star Kite Time, 12.

Ashtad's Furniture Co., 20.

Blue Moon Night Club, 12.

Midway Highway, 12.

Saltair Beach.

SAN FRANCISCO

(KRPC, KOD, KJBS, KPO, KSPG)

Network	Local	National	Total
Units	Units	Spot Units	Units
8,205	8,200	1,811	18,216
8,420	8,207	1,810	18,437
+2.7%	-0.1%	-0.1%	+1.2%

KRPC

Biggie Tobacco Co. (Biggie Cigarettes), through M. H. Buckett, 12 broadcasts of "Building Edition of the News" with Mark Gaudin.

Towne Talk Company (radio), through Milton Weinberg, 20 quarter-hour participations on "Missing Holes."

S. F. Peninsula, Inc., through Gerth-Kadlin, 20 one-min. E. T. V.

Charles Brown & Sons, through La Bros. Egan, nine 15-sec. spots.

KJBS

Key System carry service to Treasure Island, through Tom-an-ke-Elton, eight announcements.

Dodge, through Rothrock & Ryan, five 15-sec. announcements.

J. Magnin Co., through Edwin Werry, three announcements.

Southern Pacific, through Lord & Thomas, renewed two announcements daily.

Folger Coffee Co., through Raymond B. Morgan, renewed quarter-hour weekly program.

Arms Breweries, through Winchell, David, renewed four weekly 15-minute newscasts.

Crowell Publishing Co., through McCann-Erickson, renewed weekly quarter-hour.

SEATTLE

(KING, KJL, KJRC, KXA)

Network	Local	National	Total
Units	Units	Spot Units	Units
4,320	10,121	800	15

15 Best Sheet Music Sellers

(Week ending May 25, 1940)

Playwright	Bestly
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio
Wendell Berry	Radio

Band Reviews

WALLY WALLACE ORCH (18)

Pittsburgh, Pa., N.Y.

A splendid, witty, jump-enthusiastic, Waller features himself as a bounding, bounding personality, and with rhythmic jive-jiving at the helm. Essentially a band for the young crowd, Waller is enjoying a "three-hour" popularity in this territory. Most of the other bands have given up the head-down style, have turned to swing, in which he was once just another swing-band, he now has the field covered by the Schrockers office almost to himself.

He's the boss of interest on the program, and the band boys build a strict playing mission. The rhythm section is jammed up front with the band, the bass, played by Harold Duvon, being almost on top of the pulse, and Larry Herman, piano, and Hal Norton, drums, providing the count backing up. Saxons are Wendell Lester, Bill Bick, and Ray Bennett, and the reeds include Woody Colwell, Milton Lewis, Bill McMillen, and Max Richards. Waller is strictly for the dance-hall trade, and makes his for no other type of business. In his field, he gives them what they want.

SCOTT FISHER ORCHESTRA (11)

Tampa, Fla., N.Y.

This orchestra is a comeback for Scotty Fisher, who left MCA after long association, joined CRA, and then dropped from the bottom side of the music trade altogether to make a dash at the country life. Off he did a dash, and there was a pile of illegals between himself and CRA, so he's now trying again fronting a band. It's little more than a month old, mostly recruited from A.P.M. local in Texas.

Fisher is drumming up novelties as he goes along, but is having some trouble a time getting the wheels rolling again. Stalled for two weeks here, customers have been heavy and steady during that time.

His idea is substantially the framing of a band which can work long days in clubs and semi-club spots. Most of the arrangements are made by Scotty, and his music is modern, and even though he now has four saxons, he's planning to add another which will line up five reeds against two brasses and the three-piece rhythm section.

Emile Smith Garrett is of low regular all the way around, a low voice and low no ability to charge up interest in her numbers. Her songs

are plentiful enough on the radio, but there's nothing arresting about them. She was in an unimpaired repertoire here, which gave her an unfair chance to show, however. Besides the Fisher drawing, he has a three-piece band, the "Scotty-Fisher" trio, composed of Joe Hernandez, Ernest Labordia, and Paul Uria, all of good voice.

Band personnel includes Dick Jones, Ray Carter, Hernandez, and McCarthy, sax; Uria, trumpet, and Labordia, trombone; Labordia, piano; Leroy Reed, bass; and Johnny Harper, drums. Defeating his outfit to the playing of music pleasantly, with some whump-de-do on the band stand late in each program, Fisher, apparently up to his eyes in the job of bringing the boys up where he wants them, has a possibility of developing sharp.

RED NICHOLS ORCH (12)

Pittsburgh, Pa., N.Y.

Red Nichols was, along with Ben Pollack, one of the pioneers of swing. He and his band of that day and the well-known Five Pennies put a wide swath in the band world four or five years ago, but subsequently were eclipsed by the ascendancy of the Benny Goodman, Tommy Dorsey, et al. As a result Nichols was shoved far into the background until today he's a little known quantity among the younger swing addicts. However, with the band Nichols is currently leading at the Famous Door, a comparatively small group of 12 pieces and himself, it shouldn't be long before he's right back in the middle of the present popularity wave.

His is a group that's different and exceptionally good. Outfit provides a wealth of listening and dancing appeal, plays swing in the modern style, yet doesn't confine itself to being just an up-to-the-minute band, but is on a level of high-toned music. Nichols leads 'em into either one of those beats with ease but also takes 'em into smooth and smoothly played dissonance.

Arrangements, all fresh, are mostly colored. They never become tiresome, some infused with a touch of jazz not wild enough to pass over the head of an average listener, others strictly in the popular idiom employing Duke Ellington's alternately clear and muted horns. The playing itself is solid. It's a clean-looking and exceptionally clean-sounding band composed of four horns, more saxons and the usual four rhythm that kick up a solid base for the sax and brass. Lateral include two trombones and three cornets, including Nichols' own horn.

Nichols' leading and playing go far in furthering the good impression of the group as a whole. His playing style doesn't conform to the popular conception of modern horn men, but that's what provides its attraction. With the other two or three the alternates between front and back, joining the two horns or leading, or just manhandling Nichols is a finished performer. The Five Pennies aren't used often, but when they are, the same impression of hard work and extensive rehearsal, gathered from the work of the group as a whole, is relayed.

Bill Duvon leads but is not from the band. On the basis of one or two numbers heard, he's okay.

HAL LEONARD ORCHESTRA (11)

Chicago, Ill., N.Y.

Hal Leonard was leader of the two-piece band high school band of Mahatma, Minn., several years ago, and was music instructor for a year at Winona (Minn.) State Teachers College before he took to the road with his personal territory crew. Music background is such that he knows more than many of the small-town band leaders, what to do about his outfit to make it better. As result, the band has been a consistent climber, and is especially favored by the younger groups. Featuring an easy basic rhythm, the boys go in for versatility, all the ways from slide-swinging specialties of the hammer down type, to

Barney always that the grand-pappy could play with. Adaptability of his library keeps him in demand for dates, because he fits any place in the one-nighter field.

He puts his tip in with the brass section on trumpet, which gives him three trumpets and a trombone, lined up against four sax men, and three rhythm boys. Trombonist is Herbie Post, who is also the band's only vocalist, and the other brass men are T. Thompson and Bob Anderson. Billy Lee and Billie Morrison are the saxes, and Tom Pegg and Harold Krulow, the horns. In the reeds, with Stanley Anderson, bass; Ralph Haggart, a drummer on drums, and Bernard Fallon, piano. Dillon and Leonard's brother, Harold Ellison, are the arrangers. One of the main attractions about the outfit is the triple-acting trumpet, Leonard, Thompson, and Anderson, jumping up to produce a flashy musical going-over after no requests.

BILL BARON ORCHESTRA (12)

New York, N.Y., N.Y.

This band puts out a dash and a show along with its dance music, and aims as much at being entertaining as at playing for dancers. Baron has rounded his 12 men and a girl into a musical organization that ticks on both counts.

General testimony of bands in this higher priced spot is to concentrate on furnishing music equal to the tariff, but the Baron band goes in for utilizing the lateness of the room and breaking the ice. Slightly a brace of shows is offered, each including a number or two in which the gal customers dance with the band members and everybody gets friendly. Novelty numbers by crew members, a glee club, and a Capella choir, a quartet, specialties, ballads and range songs add variety to the ball hour shows. Band almost makes a night club out of a supper spot.

The leader was formerly an arranger with George Olsen and has a comparatively young band about two years old. Members were mostly recruited from the universities and colleges around Chicago and all but leader and a couple of instrumentalists are under 24 years of age.

Arrangements are handled by Ted Phillips and Alvin Gersh of the orchestra and by Bill Newton of Chicago. Six sections of four is completed by Harold Kahan and Lee Knight. Trumpet trio is composed of Marvin Haggart, Milton Hubbard and Al Hahn, and baritone are rounded out by Gene Vance on the trombone. Rhythm is filled out by Frank Fick on drums, Ray Post on guitar, Hugh Weddell at the piano, George Miller at the string bass, and leader on the viola works frequently as an instrumentalist. Vocally, blonde Esther Todd is featured, and Paul and Vance handle novelty and lyrical numbers respectively. Baron also takes a turn at piping hot lip songs.

Besides a large supply of novelty songs Baron has a swing library of 200 arrangements and a sweet library of over 100 numbers. Band being equipped for one-night ballroom stands, hotel dinner spots, clubs or theatres, although it has filled comparatively few of the latter two to date. From its work here crew is a winner.

ALL BAND OFFICES AT A.F.M. CONVENTION

All the major band booking offices will have representatives at the annual convention of the American Federation of Musicians at Indianapolis beginning June 8. Tommy Backlund, of General Amusement, J. C. Stein, of Music Corp. of America; Charles Green, of Consolidated Radio Artists; Willard Alexander, of Wm. Morris, and Bill Fredericks, of Fredericks Bros., will be on tap. It's expected the session will produce several legislative steps in booking offices and their methods.

Frankie Masters at Taft, Ben Bernie Goes Touring

Frankie Masters orchestra, which closed a long stretch in the grid of the Hotel Roosevelt, New York, last week, replaces Ben Bernie at the Taft hotel, N. Y., June 22. He's in for four weeks. Roosevelt's room stays closed for the summer.

Bernie starts a tour of one-night stands immediately after leaving out of the Taft. Masters, until the June 22 date, starts one-nighting.

HINES B.O. OK IN B'RAM

Birmingham, May 28. More than 2,200 persons turned out to greet Earl (Pathey) Hines and band in the municipal auditorium here Tuesday (21). Attendance was boosted by city authorities, killing his on one of stage for taking where party groups gathered. Matthew Bremer, booker, rounded out Hines at \$1,000 in view of long stage of gallery weather.

Bands at the Boxoffice

(Prepared herewith, as a weekly tabulation, is the estimated gross change business being done by some bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after some of hotel give room capacity and cover charge. Larger amount designated weekend and holiday price.)

Band	Hotel	Weeks Played	Guests	Total Gross
Charlie Barnet	Lincoln (225; 90-41)	1	475	2,125
Larry Clinton	New Yorker (400; 110-41.50)	3	1,425	2,850
Del Courtney	Park Central (275; 80-41)	3	800	2,775
Jimmy Dorsey	Pennsylvania (300; 70-41.50)	1	1,100	2,540
Tommy Dorsey	Arden (300; 70-41)	1	12,725	2,725
Eddy Duchin	Plaza (250; 41.50-42.50)	7	830	3,350
Sleepy Hall	Biltmore (200; 41-41.50)	14	175	4,975
Ray Kinney	Lexington (200; 70-41.50)	1	1,100	2,900

* Asterisks indicate a supporting floor show, although the band is the major draw. 10 days.

COLLEGE RHYTHM

The youth of a series of articles on collegiate life and colleges as regards dance music and dance bands.

The writers, staff members of publications at their respective schools, have been asked by Variety to give the opinions of the student body at a whole rather than just personal judgment. Neither has Variety given further instructions as to what was to be said or how. These articles appear as the undergraduates have written them, with the experienced opinions being their own.

Various publishers the series to give music men and band leaders a cross-section of current undergraduate opinion on dance music and bands, with the hope that it will be both informative and instructive. For what the college group has to say about dance music is deemed important to the trade. This is a continuation of a series originated by Variety in 1935.

UNIVERSITY OF WASHINGTON

By Bessie Miller, '40

(Washington 'Cafeteria')

Seattle, May 22.

Way on here in the farthest northwest corner of these United States, where the big trees and the big waves and the little injuries grow, the musical consolation has a faithful following of nearly 10,000 student fans.

With Glenn Miller carrying the biggest torch for the past school year, these is the known prophet that Eddy Duchin, one of the student of the old University, will be based in an even surer and frantically radio than any other orchestra in the very near future.

Washington University are a queer combination of the old and the new, the steady and the modern. We still like Artie Shaw but he's going the way of a lot of other better-known champions about this point.

In no preferred order we list Benny Goodman, who listens and wiggles in, but not in times; Raymond Scott for the music with a laugh; Fred Waring for danceability and novel, but still respectable arrangements; Phil Harris for that thrumming we laugh at but still enjoy; Ray Rhyer to dance to and just plain like; Jan Savitt for one of the best of the newer bands and for his very musical rhythm; Bob Crosby as one of the most consistently good, and the Dorsey brothers as a pair of old favorites we still will like for a long time to come.

When we talk about musical preferences here at Washington, we think we're pretty average. There's the group that like apples, chugs, ballads and now jitters, and there's the far bigger group that listens to hot jive, but dances to sweet swing.

We all stumbled around in the Big Apple and pretended we were having one heck of a good time being swayed and hot and, when it came right down to it, also very silly. So when the shag and the hula and, to date, the jitterbugs come along, we were more than content to stand in one corner and watch the other guy and the other gal indulge in their setting-up exercises for the evening.

Campus Hot Club

In the Washington campus there has been organized a jitterbug club which has about 200 members and which has been called, much to the dismay of our dear old men and women, the Hot Club. They give us five concerts for good listening and sweet swing for good dancing.

Due to the fact that Washington is so far away from all civilized centers of the country, at least to a great many minds, it is difficult to engage the better symphonies for all-out dances. The name bands we do get are those which happen to be touring the Coast. A little hard luck happened in this year and the only combo we had was Eddie Fitzgerald for our Junior Prom.

However, our school dances have been more than a success because of a few local campus bands which are in the vernacular, "pretty sweet". Live at Center Cafe, Guy Jones or Zouma Crane and we're happy.

Seattle is not exactly a dirty dump and there are plenty of places to dance. The better spots have given us some pretty fair music this year, and among the best are Artie Loveland, Jannie Lunelord, Ken Baker and Duke Ellington.

With 25 sororities and over 30 odd fraternities on the campus, and each with innumerable photographs and radios, the music stores have a fairly heavy run on their remodeling supply. And along with Greek Row we might mention the musical appetites of those who eat on the 'ave' or in the campus coffee-shop and keep the Warblers playing loudly over all their conversations.

Always tops with us are the Andrews Sisters in almost any of their arrangements. Also there's nothing like the thrum of Glenn Miller's "Tuxedo Junction" or "In the Mood" to give us a kicking foot or to make a book that's 12 inches from our collective nose reads into that fiery place where all heartbeats belong at such times.

For sheer rhythm we still like Artie Shaw's "Begin the Beguine," and we'll also take Glenn Miller's "Swanee" or "Honeymoon Serenade." For a good novelty record we like Raymond Scott's "Business Men's Business," and on the back, his "Peanut Vendor," which is one of the wildest songs extant. And speaking of novelty items, we'd like to add our combined chorus of 10,000 voices to the loudest for that delightful little Scott emulsion in wax, "The Bunkleberry Duck."

For a month or so we liked "Wee Wee" Baker singing "Oh Johnny" and "You'd Be Surprised," but at the present writing, the campus finds her more and more interesting. When we listen to a recorded program on the radio, of which we have a plethora in Seattle, we like Bing Crosby singing anything anytime. Here is a lad who has been a favorite for a long time and deserves it.

Among other things we take to Charlie Barnet's "Love Grows on the White Oak Tree," Eddy Duchin's "All the Things You Are" and Jan Savitt's "20 in the Books."

(Next week: Baker)

Tommy Dorsey doesn't call the small theatre he stays to turn out his own band but around a music the Clamshell Set as he did when they were just part of the big band. This is the Sentimentalists. First two sides, "East of the Sun" and "Head on My Pillow" released this week.

PROMOTION MANAGER

To direct activities of Chicago Ballroom and amusement industry. Must have successful record. As right men fully experienced, qualified, honest and salary expected. Write to: Variety, 34 W. Randolph St., Chicago, Ill.

TED LEWIS
WEDNESDAY, THURSDAY,
FRIDAY and SATURDAY
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WARREN, OHIO
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Today's Inspiration
GARY, Inc., Presents
Erskine HAWKINS
Singer
Singing by DOLORES BROWN

SAYS BMI SPREADS RUMORS

FREAK LEGAL JAM OF BAND LEADER

Detroit, May 28.—Just 40 feet and a legal injunction kept Danny Demetry from conducting his band during the stay at Eastern Park. In order to cross that 40 feet of space and likewise strike his musicians, Demetry would have had to lay \$25,000 on the line.

The case of the missing maestro grew out of a lawsuit in which Henry Dombrowski, a Detroit lawyer who got his leg hurt in an automobile accident, brought a civil suit for \$25,000 against Demetry for damages.

Then arose the legal peculiarity by which the band leader was kept from conducting. While the damage suit was pending, Demetry was placed under \$1,000 bond, which stipulated he remain in Wayne County while the suit was awaiting hearing. Although most of Eastern Park lies in Wayne County, the ballroom happens to be just over the line, in Clevland County. In fact, the band stand was just that short distance of 40 feet from the boundary placed on the courts.

Not being willing to chuck out \$25,000 for the privilege of standing in front of his band, Demetry stayed on side grounds and listened to them outside the ballroom.

The full irony of the thing lies in the fact that the orchestra leader had sold his car 15 days before the accident and it was a 15-year-old parking lot attendant who is reputed to have been driving the car when it hit Dombrowski. The latter had brought suit after the license number of the car had been checked up and the markings were found to be still registered in Georgia under Demetry's name. He is a resident of Atlanta.

But even after he produced witnesses in court that the car had been sold far in advance of the accident and the title turned over to others, the court was hard-headed and kept Demetry within bounds and his orchestra out of bounds.

The band got through the week all right.

BOB ALLEN'S PAUSE FOR NUPTIAL IDENTIFICATION

Bob Allen, vocalist, with the Hal Kemp orchestra, finishes the current deal with the band at the Chicago Theatre, Chicago, tomorrow night (Thursday) and jumps to Los Angeles to be married Saturday afternoon. (1) to Margaret Lee Hildner, a non-gen. immediately after the ceremony Allen and his bride fly back to Chicago to enable Allen to work with the band that night at the Triplex Ballroom.

Allen's last vocal with Kemp's band for Victor Records was "Honey, I Can't Get Along With My Mind."

Baron Elliott Quits Radio For Career in Dancetown

Pittsburgh, May 28.—Baron Elliott band, staff crew at station WJAZ, pulling out of local CBS set-up next month for build-up to strictly a dance band under one of the leading organizations, understood to be MCA. Elliott has been a local name now for several years, really coming into his own this season with back of money and college dates in this territory, deciding from the radio job.

During Harry Belafonte's brief fling at radio last winter, Elliott was the house band there. First out-of-town date following withdrawal from WJAZ will be at Jefferson Beach in Detroit, where outfit opens month's engagement June 21.

ROY FOX ORGANIZES

Passport Picked Up, He Is In U.S.A. From New One

Unable to return to England when his passport was revoked by the U. S. Consulate at Sydney, Australia, Roy Fox has returned to New York to build a new band. Fox, an American citizen, had been leading an orchestra in England since 1935. New group, which will be handled by General Amusement Corp., goes into rehearsal next week.

Following the passport revocation in Aussie, where Fox was visiting, he came back to this country via a Pacific passage. Jack Harris, also a U. S. citizen who has been leading a band in England for years, is in the same position. He came over two weeks ago for a visit and will play Billy Bennett, Canadian, ex-leader at the Casino de Paris, London, is also invited. Fox already built a band on the Coast.

OPERA-ON-TOUR FILES APPEAL

Opera on Tour, Inc., has filed an appeal to the New York Court of Appeals from a judgment against it rendered by the appellate division of the supreme court. Opera on Tour lost its suit against Joseph N. Weber, president of the American Federation of Musicians, and George E. Brown, president of the International Alliance of Theatrical Stage Employees.

The first decision in the suit, made by the supreme court in May, 1939, was in the plaintiff's favor, but subsequently the higher court reversed the decision.

Demetrius upheld the defendant's right to bar staghands and other employees from working for the plaintiff, on the ground that the latter used "vaudeville music" instead of live musicians. Fine for an injunction against the defendants was denied.

Eddie Durham Files

Albany, N. Y., May 28.—Eddie Durham, Inc., has been chartered to conduct a business in organizing and managing orchestras and entertainers, with principal office in New York City. Capital stock is \$250,000, \$100 per share.

Directors are: Eddie Durham, attorney Frank T. Baker and Blanche Mighan, N. Y. City.

NAPA Forces WNEW to Drop Discs; Local 802 Backs Maestros' Showdown

After a meeting between artists of WNEW, New York, and Jimmy Walker, ex-mayor of N. Y., and president of the National Association of Performing Artists, the recordings of some 100 orchestral and singers were pulled off the station's various recorded shows last week, including Martin Block's Make-Believe-Ballroom. Platters banned are those made by artists listed as members of the NAPA. Walker demands that users of the drop for broadcasting purposes must get permission from NAPA, at an annual sum not yet fixed. WNEW will not use them again until the situation is straightened out.

List of NAPA members whose recordings are currently used on WNEW and now yanked from usable line include: Abe Lyman, Bob Chester, Wild Onions, Charles Barnet, Louis Armstrong, Mildred Bailey, Henry Burr, Cab Calloway, Eddie Durham, Shop Parloids, Benny Goodman, Jan Garber, Glen Gray, Elysiene Hawkins, Richard Rogers, Hal Kemp, Wayne King, Guy Lombardo, Vincent Lopez, Red Nichols, Jim Rosert. Some of the above claim the are not members of the NAPA.

ABELES DENIES ROBBINS DEAL

Music Lawyers See Broadcast Music, Inc., Strategists Using 'Fifth Column' Tactics Against Solidarity of Publishers—Many Get Offers, Then the Story Slips Out

OTHER ANGLES

Julian T. Abeles, copyright counsel for Metro, last week denied the report that he was engineering a deal with Sidney Kaye, CBS lawyer and vice-president of Broadcast Music, Inc., involving the Robbins music group. Abeles admitted that he had been approached, the same, he added, as Kaye has approached other major firms allied with ASCAP, but there had never been any actual negotiations.

Abeles stated that even if Broadcast Music could produce the money for a buy he couldn't see how the Metro-Broadcasts catalogs could be assigned away from ASCAP without Metro-Broadcasts violating its contract with other film companies, such as RKO Century-Fox and Universal. Film exhibitors would still have to get licenses from ASCAP and by putting these catalogs in the hands of Broadcasts Metro would be making things more complicated for its No. 1 source of income, the picture theatres, Abeles added.

It is assumed in the trade that if any deal was entered into with broadcasting interests it would be predicated on Metro being able to deliver 100% of the Robbins group's stock. Outside of Metro and Jack Robbins this stock is held by Domemus Baynes, Jack Brownson, Bertha Prager and Stephen Layla, all former or present employees. The firm in the group are Robbins Music Corp., Lee Frost, Inc., and Miller Music, Inc.

Music lawyers credit BMI with using smart tactics in causing doubt and suspicion in ASCAP circles. Major publishers are approached about a sale and in a short while word drifts out of BMI about pending deals, with the result that publishers within ASCAP's ranks begin to wonder whether some of their im-

ports are members are engaged in "fifth column" activities.

Commenting on the rumor last week, Irving Caesar, president of the Songwriters Protective Association, declared that he was puzzled as to how Abeles expected Metro to get away with any kind of broadcast interests unless the group was to remain in the ASCAP ranks. The writers allied with this group's catalogs, Caesar pointed out, have exchanged their contracts with ASCAP and under the circumstances the group could not, unless it was entering a legal battle, permit these writers' performing rights to be claimed by any organization other than ASCAP.

BMI last week obtained the performing rights to another standard catalog, namely, Hinds, Hayden & Eldridge, Inc. The deal, explained BMI, will give it domestic music.

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National Export Co., which spec-

Orchestra Leaders Responsible For State Unemployment Tax in Ohio

Job Not Steady

Presidents, May 28.—Waning popularity of theatre organisations finally hit Maurice Cook, who has played at Lewis's State since 1930.

He took his final bow Wednesday (28).

ROCKWELL-CRA MERGER TALK

Report is up again about a deal pending between the General Amusement Corp. and Consolidated Radio Artists, Inc. Preparation reported to be under discussion between Tom Rockwell, of GAC, and Charles Green, of Consolidated, involves a merger of the two companies, with the former putting up quite a chunk of cash to facilitate the adjustment of certain artists and organizational obligations.

Talks of interlocking their interests have been held by Rockwell and Green from time to time during the past year but they never got beyond the preliminary stage.

Important co-members are engaged in "fifth column" activities.

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Columbus, May 28.

Employees of orchestras in Ohio—radio, public hallways and the like—were exempt from contributions to the Ohio Bureau of Unemployment Compensation, officials here noted. According to the ruling the orchestra leader was cited as having possible control over member musicians, therefore being responsible for compensation taxes on the individual.

B. U. C. made reference to A. F. of M. regulations which state there can be no employee-employer relationship between orchestra members and the employer of the orchestra. Request for clarification of the law in performing the situation was made by WJPD, Toledo, station establishing responsibility for the tax.

Referring to effect will be an answer to the preliminary judgment and filed against the bureau several weeks ago by the City and County (28), Cincinnati, asking for a ruling on the same matter.

Mobile's Big Auditorium Won't Recognize Unions; Gray Plays Smaller Hall

Mobile, Ala., May 28.

Gray Gray's Don Loma orchestra, booked here for May 30 at the Ford Whiting national guard auditorium, with a seating capacity of 1,500, must change over to the Battle House auditorium with a capacity of about 500, due to refusal of the Ford Whiting building commission to recognize the union. The local musicians union, stagehands and operators joined in an appeal to the commission to employ union labor at the auditorium. The commission refused on the ground that they could not dilute in various organizations which use the Ford Whiting auditorium.

This means that many traveling bands, artists and stage shows will probably skip Mobile.

LAKE ERIE HOOFERIES FORESEE LUSH SUMMER

Buffalo, May 28.

Up and down the shore line, Lake Erie hooveries are unobtrusive but pervasively blustery. J. G. Cameron again his Coleridge Park at Amherst with George Duffy with one-nighting Memorial Day (29), with Will Calhoun singing June 1.

Crystal Beach, Ont., ballroom will play Harold Austin's band plus Canadian outfit. Spot has gotten \$1500 going-over, which includes new acoustical ceiling. Newark, N. J., over into Lake Erie about June 1.

Babe Wallace on Raion For Ella Fitzgerald

Babe Wallace, violin of song and dance man and m. c. who was part in several "Blackbird" musicals and Cotton Club, N. Y., first show, took over leadership of the Ella Fitzgerald orchestra Friday (28). Date was the June German hotel at Raleigh, N. C., which started the Fitzgerald group as a host of Southern one-nighters. Addition of Wallace as leader was the only change made in the group. Trudy Melton remains as rehearsal, etc. Band there under Miss Fitzgerald's name, and the curtains are pulling.

Deal was nothing several weeks ago to have Benny Carter strip to own band and take over leadership of the Ella Fitzgerald house. He would have been included in the making of the deal. Instability to arrive at a salary with Miss Gable, the band's manager, signed Carter's going.

On the Upbeat

Strommen club, English, announced that Strommen and the Westerns Gossamer for a one-nighter at the Tivoli ballroom, Wednesday (31). Ticket prices: \$2 a couple and \$1.50 a single. After a recording session in Montreal the Strommen band will play another one-nighter at the Hotel Saskatchewan, where the band got its start, on June 1 and will then go to the Grand Springs hotel, Banff, for the summer. Return date will also be handled by the Strommen club.

Clyde Barley, trumpet, replaced by Charles Frankham, and Leigh Klawns, also trumpet, replaced by Zoltie Lathrop with Glenn Miller.

John Ryan on Variety, recorded with distinct and other novelty songs, really Joe Ryan, ex-handicapper and current operator of the Club Evergreen, Bloomfield, N. J.

Helen O'Connor is to be replaced with shorted uniformed marching Jimmy Dorey's men for the band's stay on the Pennsylvania hotel, N. Y., next.

Bennie Meyer now arranged for Bobby Byrne, Charles Dillagias replaced Jack Turkin on sax with Byrne last week.

Yvette, chanteuse now at Le Matignon, N. Y., signed by RCA-Victor for recordings. What label not yet definite.

Wing Drake joined Sleepy Hall as vocalist.

Gloria Dale replaced Judy Allen as vocalist with new Suzie Maxwell band.

Eddy Brandt band signed by Fred-Edwin Brown last week. Gave into Sunset, Baltimore street, June 5 for 10 weeks. Brandt recently enlarged to full size.

Bobby Bandy has left Mary Park, Youngstown, Ohio, for two weeks June 1.

Bertie Holmes does a stretch at Home Voca, Miami, Minn., starting June 25.

Joe Higgins, Columbia Recording exec, celebrates his 35th and in the music business in June. He'll be tendered a testimonial dinner now being cooked up.

Fred Palladini, Pittsburgh drummer, has joined Glen Gray for several weeks while Tony Briggs, Casa Loma's regular skin-beater, returns to New York for sister treatments.

Ann Barile replaced Robert Brown as pianist arranged with Idiopati.

Paul Farnsworth leaves out of the Plaza hotel, N. Y., this week after a 10-month stand.

Betty Allen, who's Mrs. Gai Bivona, doing the singing with Brown's, new band at the Post Lodge Inn, Larchmont, N. Y.

Craig Beach, now Youngstown, O., opened May 29 with a different orchestra playing each night over the

week-end. Tommy Van played Saturday (28), Clair Hott played Sunday, and Ross Matney's colleague band on Monday, featured as "Spot's Night."

Joe Brishman's stay at Commodore Hotel, Los Angeles, extended to July 1. His third engagement to the same spot.

Harry Brown and his Royal Hawaiian signed for a musical short at Universal.

Tommy Carter's Pittsburgh work at the opener two weeks at the Perkins Lake River Pier, Buttery Lake, O., beginning Memorial Day. To be followed by Carl "Drum" Stone, in for indefinite stay.

Paul Farnsworth, after 10 months at the Belmont-Park hotel, N. Y., going to Hollywood with his band.

Fausto Corbelli, maestro-conductor at La Martiniere, N. Y., going under MCA touring-engagement.

Glen Gray doing 12 one-nighters following week's stand at Stanley Theatre, Pittsburgh, and then goes into Hotel Roosevelt, New Orleans, for a run.

William Korte, p.a. for Johnny Long's band, has left Pittsburgh to replace outfit following its two-week stay through the south. Long plays Roneywood Park, Fla., for two weeks June 24.

Brown (Bobbie) Baker's orchestra moved into Balala Room of New Kew-Forest hotel, Albany, for a brief stand before opening at Totten Lodge, Burden Lake, back of Troy. Unit played New Kew-Forest last season and later had summer engagement at Totten Lodge. Allen and Kate Lesler, waiters at Balala Room, have taken over Totten Lodge dining room, which will be open to the public. Allen Lesler is a one-time orchestra leader.

Harv Arsham opens at the Wilshire Bowl, Los Angeles, June 28, succeeding Phil Harris, who takes his orchestra on tour during the summer layoff of the Jello six program.

Natty Malachuk's six-week booking has been extended by the Beverly Wilshire in Beverly Hills.

Bobby Bandy played a one-nighter at the Pla-Mor ballroom, Kansas City, Saturday (25). Fred Liddy's unit also played a mid-week one-nighter at the Pla-Mor.

John Phillips and his orchestra and four left up from St. Louis to open the Club Plantation, Kansas City, last week.

Bill Barde out of the Terrace Grill at Kansas City's Hotel Muehlebach last Wednesday for hotel dates in Houston and Dallas.

George Moros played for the first "Travellers' jamboree" at Fairland Park in Kansas City last Friday.

Walt Osborne and vocalist Dick Rogers turned out a tune called "Pompadour Turquoise." The Osborne

band is currently at Mindewebank, Cedar Grove, N. J., which is on the Pompadour Turquoise.

Bert Messingale's orchestra is at resident band at Totten Lodge, Kansas City.

Johnny Boudelle's orchestra at Macy's on Walnut Street south of Kansas City.

Mike Miller (Music Goes Round) and orchestra went to Argonne hotel, Detroit, after an engagement at Star-Kansas hotel, Albany.

Silver Starlet orchestra at Club Fanny Inn, Birmingham, for the summer. Lillian Holt does the vocalizing.

KBD, St. Louis, originating weekly 20-minute programs of dance music for the NBC and from the Midwestern Country Club. First was Johnny "Spot" Davis followed by Buddy Rogers. Other band linked for record was Ted Warren, Happy Fellers, Arson, Wicks.

Mark Stuart will follow Phil Levent at Plantation Club, Dallas.

Black Bartle goes into Missouri Inn near Pittsburgh tonight (28) for a week and will be followed there on June 7 by Charlie Agnew.

Johnny Baker is at new Martin, special spot, Dallas.

Dick Skidde is in place listed by Columbia Records. Starts cutting test sides this week.

WOOD'S WIDOW SUES ANEW OVER 2 SONGS

Gertrude Wood Bernstein filed an amended bill of complaint in N. Y. federal court yesterday (28) against Joseph J. Dennis, William H. Haskins, doing business as, Denton & Haskins Music Co., Isabelle C. Haskins, and Denton & Haskins Corp., seeking an injunction, accounting of profits and damages against the defendants' publication of two songs, "Somebody Stole My Hat" and "That's What Got Me Mothers For," written by her late husband, Len Wood.

The plaintiff claims that her husband assigned the songs to the Meyer Cohen Music Publishing Corp., whose assets were acquired by the defendants in 1928. Since 1928 it is claimed the defendants have refused to pay royalties on the songs which were written in 1918. The plaintiff claims she cancelled the agreements between herself and the defendants in November, 1928, her right to do this being reserved in her will as executrix of her husband's estate. A bill of complaint declaring the songs hers, an injunction, damages, and accounting of profits is sought.

Clark's MCA Suit Kayoed; Involved Stale's Band

Suit of Andrew J. Clark, ex-signer of Noble Sins and the Noble Sins Orchestra, Inc., against the Music Corp. of America for \$25,000 was dismissed yesterday (28) in N. Y. supreme court by Justice Louis A. Valente. Reasons for dismissal were failure of the plaintiff to prosecute.

Clark claims that the defendants, according to an agreement made in December, 1932, agreed to pay Sins \$1,000 per set on any record or theatre engagement. It is claimed that \$13,000 is due on this count. The second count of action claims that over \$15,000 in forfeitures were made from the orchestra leader's net, which should not have been. Action was filed in April, 1933.

If It's Music, That's Mine

Hollywood, May 28. Artie Shaw signed a recent deal with the Radio Music-Robert Sullivan production company, giving him complete charge of the musical elements of the picture, "Second Chorus," for which he had originally signed to appear with a band.

Johnny Mercury is due in from New York to work with Shaw on musical portions.

Meyer's Group-Alice Pia. Johnny Mercury leaves Saturday (31) for the Coast to discuss with the Paramount studio a proposition to write some songs for the forthcoming Jack Benny-fred Allen production.

He also has a commitment with RKO which is supposed to start June 23.

Network Plugs, 8 A.M. to 1 A.M.

Following is a tabulation of the combined plugs of current songs on NBC (WEAF and WZZM) and CBS (WABC) compiled for the week from Monday (through Sunday (May 28-29). Total represents unannounced performances on the two major networks from 8 A.M. to 1 A.M. System denotes film song, stage musical, all others are pop. Parenthetical material after the title indicates how many weeks the song has shown up in these listings.

TITLE	PUBLISHER	WEEKS
Too Romantic (12)	Parlophone	12
Where Was I? (2)	Parlophone	2
Shake Down the Stars (2)	BVC	2
Woodchuck Song (12)	Parlophone	12
Hey! Hey! (17)	Parlophone	17
Where Do I Go From You? (2)	Parlophone	2
Yours Is My Heart Alone (4)	Parlophone	4
It's a Wonderful World (10)	Parlophone	10
Make-Believe Island (3)	Parlophone	3
Imagination (17)	Parlophone	17
Believing (4)	Parlophone	4
I Can't Love You Anymore (4)	Parlophone	4
Little Early Hour (1)	Parlophone	1
Meet Me Somewhere (1)	Parlophone	1
With the Wind and the Rain in Your Hair (12)	Parlophone	12
Playmates (2)	Parlophone	2
Ampt in Dispute (1)	Parlophone	1
Danny Boy (1)	Parlophone	1
Tommy Don't Fry (1)	Parlophone	1
A Lover's Lullaby (1)	Parlophone	1
Charming Little Feller (1)	Parlophone	1
Sherry Beer (1)	Parlophone	1
Old Hootie Man (1)	Parlophone	1
You, You, You (1)	Parlophone	1
Alone Blue Gown (1)	Parlophone	1
Singing Hills (12)	Parlophone	12
When You Wish Upon a Star (12)	Parlophone	12
Blue Lovers (12)	Parlophone	12
From Another World (1)	Parlophone	1
Her Name Was Rosie (1)	Parlophone	1
How High the Moon (12)	Parlophone	12
Say It (12)	Parlophone	12
Tonight (Parlophone) (1)	Parlophone	1
You're Lonely and I'm Lonely (1)	Parlophone	1
Apple Blossoms and Chapel Bells (12)	Parlophone	12
Castle of Dreams (1)	Parlophone	1
Down by the Old Mill (1)	Parlophone	1
I Can't Resist You (1)	Parlophone	1
Never Time Tomorrow (1)	Parlophone	1
I Love You Much too Much (1)	Parlophone	1
Let There Be Love (12)	Parlophone	12
Pinkie Dots and Bunches (12)	Parlophone	12
Sky Fell Down (1)	Parlophone	1

Band Bookings

Lee Brown, July 28, week, Million Dollar Pier, Atlantic City; Aug. 3, two weeks, Kensington Park, Pittsburgh.

Will Bradley, June 11, Audubon, Asheville, N. C.; 17, Valdosta, Ga.; 13, six days, Deering Campus, N. Y. World's Fair.

Duke Ellington, June 18, Myrtle Knight Club, Youngstown, O.; 12, Aud., Asheville, N. C.

Ted Lewis, June 1, Lake Mead, Palm Springs, O.

Ray Noble, July 2, Park Highlands, St. Louis, Mo.

Benny Weeks, June 28, four weeks, Claridge hotel, Memphis.

Bob Zuck, June 8, Sunnyside, R. Pettitown, Pa.; 11, four Club, Dallas, Pa.

George Olsen, June 1, Strand Theatre, Cumberland, Md.; 1-4, Columbia Theatre, Elm. Pa.; 2, week, Eastern Gardens, Detroit, 28, Colonial Hotel, R. Rochester, Ind.

Ray Noble, June 26, Trumbull, Wichita, Kan.; July 5, Forest Park Highlands, St. Louis, Mo.

George Hall, July 1, Elberta Beach, Cleveland.

Slim Gaillard, June 1-4, Arcade Theatre, Salisbury, Md.; 11-12, Plaza Theatre, Millard, Del.; 14-15, Strand Theatre, Cumberland, Md.

Henry Brown, June 29, Paramount Theatre, Hammond, Ind.

SUIT IS SETTLED

Consolidated Artists vs. Morris Se-retired Sam Morgan

Consolidated Artists' suit against the Wm. Morris agency for allegedly advertising Sam Morgan's band for bookings without the sanction of CRA was settled out of court. Morgan is under contract to CRA, who objected to Morris agency's booking of a date for Morgan at the Edgewater Beach hotel, Chicago.

Peace-making amounted to a written agreement by Wm. Morris not to concern itself in any way in the future with any of CRA's artists.

KENDIS' RECORDINGS

Sunny Kendis, who has only a smattering at the Beachcomber, N. Y., vicinity, comprising himself at the piano, and two records, one brass, traps and bass, is also rehearsing with a large band for recording.

Kendis has arranged for many Victor records and his past associations with Ed O'Brien, when at SCA Victor, may take Kendis into the Variety-Royale bands for working.

MEYER DAVIS OPERATES ROSS FENTON FARMS

Ashbury Park, N. J., May 28. Meyer Davis, has taken over the operation of Ross Fenton Farms in Wassmann. The spot will open June 28 following the completion of alterations.

Davis will make his summer headquarters at Newport, R. I., where his orchestra is scheduled to play several of the most important social affairs.

LARRY TAYLOR LEAVES PAR

Larry Taylor, vocalist, with the Charlie Barnett band, was loaned out of the Barnett show at the Paramount Theatre, N. Y., last week for a stomach ailment. He played the first day's performance and one of the second before dropping out. Barnett opened there Wednesday (22).

Last last fall Taylor was on his way to audition for a singing job with Johnny McGee's band when a motor crash knocked him overboard.

THE SONG IF I HAD MY WAY

Obviously must be great to be featured concurrently in both these ★ ★ ★ films.

THE SONG IF I HAD MY WAY

STARRING: BING CROSBY, GLORIA HAN, MERLE OBRIEN, GEORGE BRENT, JOE OBRIEN, TIL WE MEET AGAIN

Presented by Paul-Pioneer Music Corp. 1607 Broadway, New York. OUR NEXT HIT! Just a Dream of You Dear

SINGING HILLS! PLAYMATES! SINGING HILLS! PLAYMATES!

From the SING CROSBY New Universal Picture, "If I Had My Way" - Songs by Burke and Maxwell

I HAVEN'T TIME TO BE A MILLIONAIRE
Philosophical ballad of "Pennies from Heaven" Type

MEET THE SUN HALF WAY
Rhythm song, pop! in the "Pocketful of Dreams" groove

APRIL PLAYED THE FIDDLE
Chorus of Spring captured in song! tender love ballad

THE PESSIMISTIC CHARACTER
(With the Oak Apple Fanci) Rattling melody

SANTLY-JOY-SELECT, Inc., 1237 Broadway, New York City
EACH WEEK, Prod. Mgr.

SINGING HILLS! PLAYMATES! SINGING HILLS! PLAYMATES!

Hint of a Hit Defers Lombardos' Disposition to Sell Olman Music Co.

Gay Lombardo and his family partners in the Olman Music Corp. have withdrawn the publishing firm from the market after having talked terms with such prospects as Jack Buscemi and Henry Spitzer. The decision not to sell was made when the Lombardo family discovered that it had a possible hit in the future, namely, "I Can't Love You Any More Than I Do."

The partner contingent, which includes Mrs. Gay Lombardo, were getting tired of constantly shelving out for the support of the firm when suddenly some substantial orders for "I Can't Love You" started to drift in. Last week the sales reached the 2,000-copy point and it was agreed that the time had to sell was when a guitar showed signs of coming home.

Sylvia Suarez of Cuba In New York Learning Tune Ballyhoo Tricks

Sylvia Suarez, head of Jack Rubino's new Havana firm, a separate entity called Rubino Music Co. of Cuba, which publishes not only the hit "Milk and Honey" but also the hit "I Can't Love You Any More Than I Do," is making her first business visit to N.Y. She is studying the Rubino Music business setup and especially in relation to the music explosion, as and when it comes in Cuba. In Havana, she makes her headquarters in the Hotel Exchange, then closely linked in with the picture and on that phase of it, she has been studying the Rubino-Pastor-Miller music interests.

This song from "Babalu" is her first venture. Native lyrics were written originally by Julio Brito, leader of the Eden Concert, Havana city, and a brother of Alfredo Brito, Latin maestro known in New York. Former Brito will do special work on all Rubino songs for the local editions.

BROWN & HENDERSON BILLING IS CLEAR

Low Brown and Ray Henderson have obtained release of their corporate name, Brown & Henderson, Inc., from Max Dreyfus preliminary to their entry into the publishing business. Bernard L. Miller is doing the incorporating for them.

Brown & Henderson tag was controlled by the Crawford Music Corp., which was originally DeFuria, Brown & Henderson. The B & H tag remained dormant in that it never took out a copyright or published a song.

Grier Opens Saltair

Salt Lake City, May 28. Jimmy Grier with his orchestra will open the season tonight (29) at Saltair Beach Resort, 28 miles from here. Grier's one-night stand opens a season of touring bands. Starting May 30, Sterling Young will begin a short engagement.

Police have been established of observation to all ladies arriving at coast by electric train. This does not include the dance convention, however.

YESTERDAY'S HIT TODAY'S REQUEST

LOVER COME BACK TO ME ONE KISS

Both featured in the score of the M-G-M film "New Moon" with Jeanette MacDonald and Nelson Eddy.

HARMS, INC.
RCA Bldg. New York, N. Y.

Muggsy Spanier to Crosby

Muggsy Spanier drops his small jazz combination within the next week to join the Bob Crosby band. He'll replace trumpeter Howard Smith.

Currently at the Blackhawk Cafe, Chicago, Crosby is replaced there Saturday (31) by Blue Barons.

NEBRASKA LAW APPEAL LIKELY

Lincoln, May 28.

Before July 1 it is expected the appeal to the U. S. supreme court from the Federal court decision finding Nebraska's anti-ASCAP legislation of 1937 imperative, will be made. Atty. Gen. Walter Johnson said this week the possibility is very strong that appeal will be made, and it is known that his office is presently studying itself with the case, readying it to lay before the high bench for review. Early in July, the 30 days allowed after the Federal district court decision, to take action, will expire.

When the William Hays-conducted state case went in favor of ASCAP, there seemed almost no chance that this particular anti-ASCAP legal struggle could go further, for the reason that the same 1937 legislation which passed it and made it a law, forgot to lay aside enough money to protect it in the statehouse with the courts. However, Johnson made a trip to Washington not long ago, studied the utterances of the high court in the Elroy gasoline patents and copyright case, presumably secured Justice Department interest and money; and now says there's an 80-20 chance of the appeal.

In spite of the presence of many other anti-ASCAP measures on state statute books, the Nebraska case was first to be tried on its merits, and the point is taking it on up, if unable to secure a reversal on the lower court, is to find in the Supreme Court's opinion just how far a state legislature may go in furthering trade against the music copyright pool.

After the decision, filed for new trial, taking issue with the stand of the three-judge court—Munger, Gardner and (Dunham)—claiming they read into the bill the meaning that the legislature was seeking to rob copyright holders, which, he claimed, was erroneous. He submitted affidavits of 22 legislators of the 1937 who voted for it, in which they claimed to have been concerned only with "monopolistic" practices. Judges, saying each portion of the bill was worded to mean no other portions to the extent that no part of the Nebraska law could stand without some other part, ruled it imperative and unconstitutional.

'Between' Song In Suit Between Writers and MG

A \$10,000 song plagiarism suit against Metro, on file for over a year in N.Y. supreme court, has been taken out of court, was revealed Monday (27) when the plaintiffs, Meloy Wayne and Neville Fieson, applied to the court to examine the defendant through a responsible officer, before trial. The application will be heard June 3.

The song involved is "Between and Between," written by the plaintiffs in November, 1937, for Judy Garland. It is claimed that after an agreement had been reached with the defendant to use the song, the director of the picture, which is not named, wrote a song called "In Between" using similar lyrics, which was used. Metro's defense claims that the plaintiffs' song was not original.

Teddy Wilson's 14 New Hits

Teddy Wilson's recent band which has shifted from 14 to six pieces may go into Kelly's Stables, New York, for its starting date.

It's composed of Ernie Powell, sax; Jimmy Hamilton, clarinet; Frank Stallone, trumpet; Eddie Dougherty, drums; Ray Foster, bass; and Wilson on piano.

Clubwomen Get Milwaukee Union to Lift the Rule

Milwaukee, May 28.

That a group of determined women generally get what they go after, even from the hard-boiled Milwaukee Machine's association, Local No. 8, AFM (AFL) was demonstrated Wednesday (27) when the union permitted an organist to play for a fashion show at the Milwaukee Auditorium in connection with the national convention of the General Federation of Women's clubs. Union rule is that no less than 13 musicians may be used at a time in the big hall, and the official needed Miss Francis Bernis, director of the show, had Lyman Helms, an organist she had engaged, would not be permitted to play unless 12 additional musicians were also employed. The clubwomen appealed to Mayor Carl F. Zeller, and Valmer Eshenwald, head of the union, was finally prevailed upon to let the organist play. "We're just as civic minded as anyone," said Eshenwald, "so we agreed to let the organist go on, although it violated our agreement."

A month ago, however, the union refused to break its rule for the inauguration of the mayor and the program of organ music planned for that occasion had to be omitted.

MUSIC PLUGS NOT IN TUNE WITH WAR

Plugging end of the sheet music business is going through one of the worst disappointment periods in recent years. Professional managers say that the past two weeks has been doubly depressive to them. The average person may have been plunged into an indign mood by events in Europe but songwriters have had not only this to dishearten them but the circumstance that one scheduled plug after another has been knocked by special broadcasts having to do with the war.

If it hasn't been a suddenly booked program dealing with some phase of the war, it's been a broadcast on the subject of defense or some patriotic with a party-angled point of view on this or kindred topics. That has meant the elimination of many previously scheduled dance band broadcasts.

One professional manager last Monday (27) was informed that seven plugs on two new numbers that he had set for that day had become void because of sudden shifts in schedules.

E. B. Marks Diverts Old 'Ta-Ra-Ra-Boom-De-Ay' From Vogel's Control

Jerry Vogel has lost the name and other rights to "Ta-Ra-Ra-Boom-De-Ay," rated as one of the more valuable plug tunes from an older generation. While Vogel's contract was about to expire, E. B. Marks got in touch with the estate holding the copyright and with the aid of a \$100 advance obtained the rights to the song for the rest of its copyright renewal life.

For a long time the music trade had been under the impression that this number was in the public domain. Vogel quietly purchased a check in Washington, traced the writer's estate and suddenly informed the industry that he held an exclusive sales contract on "Ta-Ra-Ra-Boom-De-Ay."

Weems Aims From Road

Chicago, May 28.

Ted Weems' orchestra goes out for more than 100,000 in the "Best of the Band" broadcast for General Mills will be heard from Earlwood Park in Detroit on June 2, and from Cedar Point, Ohio, on June 9.

Garry Moore, M.C., announced Ford Pearson and pianist Lloyd Harris will make the weekly point for the air show which will be played with the dance dates and week stands at each of these spots by the Weems orchestra.

Actor Ed East, With 12 Plugs a Week, Is Courted by, and Kids, ASCAP Firms

Carl Fischer Reduces

Albany, N. Y., May 28.

Carl Fischer, Inc., New York, has reduced its capital stock from \$400,000 to \$200,000. Instead of a total of 25,000 shares, with 20,000 common at \$5 par value, and 5,000 preferred at \$100 par value, now figure is 25,000 shares. A decrease of 1,000 preferred shares has been made.

Gilbert & Gilbert were filing statements.

ASCAP SEIZURE HEARING TODAY

Argument on the motion by the American Society of Composers, Authors and Publishers to quash the subpoena issued by the anti-trust division of the U. S. Department of Justice for the Society's files and records will be argued today (29) before Judge Henry W. Goddard in the N. Y. federal court. The proceedings will be confined to the judge's chamber.

Judge Goddard is conversant with the principles involved in the Justice Department move since he presided over the trial of a Government action against ASCAP in 1938. Counsel for the Department delivered this one while in the middle of the presentation of its case.

Alberti, Ex-Berlin Music Pub, Now in Australia

Victor Alberti, refugee music publisher from Berlin, who tried it for a while in Amsterdam, with little success, is now in the literary agency field in Melbourne, Australia. He arrived there recently with his wife and their younger daughter.

In former years Alberti was an influential music publisher in Germany and his contacts with the American music scene were important.

An ability in song plugging history has been created by Ed East's present contract with the Pepsi-Cola company whereby he does two separate five-minute musical programs on WEE and WEAF, respectively, six nights a week, at a total of 12 plugs. This circumstance alone has kept East's own song, "Good Evening," on the most played list for the past 11 weeks and meantime he is much courted by the music houses because he also plays a minimum of 12 current numbers weekly. And has other programs on NBC besides his Pepsi-Cola pair.

East has been good naturedly complaining to contacts for ASCAP firms that approach him for plugs as he has been repeatedly turned down for ASCAP membership. Maunette Robinson has just taken his 18th number, "The Noble Man," written in collaboration with Harold Adamson. Starting Monday (29) he replaced "Good Evening" with "Noble Man" as the signature song on his Pepsi-Cola program. East bids the pluggers that he's good enough to help them with their ASCAP point ratings, but not good enough to be an ASCAP member.

DEMAND 50c DISCS PAY 2c ROYALTY

Several major publishers have decided to stop issuing licenses for the 50-cent put out by the Columbia Phonograph Corp. unless a royalty of 2c is forthcoming. Letter has been paying the same royalty, 1 1/2c for the 50-cent as applies for the 30-cent.

Warner Bros. group some time ago limited upon this 2c royalty, but when the rest of the trade continued to accept 1 1/2c it abandoned that stand.

Johnny Damesky changing his professional name to Johnny Richards and moving into the Casa Marana, Colton City, Calif., June 1.

Follow Feist

PARADE OF HITS

FOUR STAR HITS!

★ **BLUE LOVEBIRD**
Lyric by Gus Kahn Music by Bradshaw Waller
from the 20th Century-Fox film, "JULIAN RUSSELL"

★ **LITTLE CURLY HAIR IN A HIGH CHAIR**
Words by Charles Tobias Music by Nat Simon
from Eddie Cantor's M-G-M film, "FORTY LITTLE MOTHERS"

★ **ALICE BLUE GOWN**
Lyric by Joseph McCarthy Music by Harry Tierney
from the RKO Radio picture, "MENE"

★ **I'M NOBODY'S BABY**
By Benny Davis, Milton Ager and Lester Sonty
from M-G-M's film, "ANDY HARDY MEETS DEBUTANTE"

READY TO GO, Inc. 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

A. C. Basing Estimates on Florida, Looks for Biggest Season in Years

Atlantic City, May 28.

After a miserably poor winter and a series of four pretty bad summers, amusement men here expect a big season this year. Harvey H. Anderson, theatre operations manager of the Walden-Lewis chain and a conservative fellow, calculates the 1940 season will be best since 1929, and probably exceed that summer.

He, like others, bases calculations on Florida's season, which was prosperous and unusually long. Localities, where annual life constitutes two months of hurry and 10 months of worry, have a rather unbridled saying which as far as he held good: "As Florida goes, so goes Atlantic City."

Another hopeful element is election of energetic new mayor, Tom Taggart, who has seized control of police, ordered them to keep police to visitors, and demonstrated he is determined and able to bring town's larking business and political factions together in harmony. In inaugural address Tuesday (14) he proclaimed town would be kept liberal to attract visitors, but "clean, nevertheless."

Taggart will try to induce theatres, pits and amusements to keep open through September in an effort to extend season beyond Labor Day. Think this can be done in view of certain European travel, plus planned advertising campaign to "stay for September."

Meanwhile, A. C. officially opens for summer Thursday (30), with most spots expecting good harvest from four-day Depression Day weekend.

Frank's Lineups

Frank Gravel's Street Fair opens Thursday with Johnny Green's with a few unannounced acts of vaudeville which will depart after first day. Some Hawaiian divers, and Alas Barthe's band, which will remain all summer long.

George Hamill's Million Dollar Fair will open his third summer season here with Phil Spitaler's troupe band on Thursday. Trudy Powell's with on Friday and Jan Davis's on Saturday. Eddy Morgan's band will be summering steadily, as formerly. Hamill provides on vaudeville for opening weekend—just like in Hippodrome room.

Miss Malama's Ritz-Carlton Merry-Go-Round has will continue to offer Dick Kake's with with Marjorie Hendricks. They came down from N. Y. Astor hotel last week and have been drawing good. Deana (Mrs. Stan Laurel) will headline President's Round the World room, with Whitley Varallo's with and Arman Camp on hill. Swampy Treadmore plans to elaborate its weekend program, starting Friday night (31) with 25-voice choir under Joseph Lilly, and highbrow resolutions by Bill Madden's with.

Hotel Chelsea and Enquire here are having their summer hopes on the "Tomb" as 11-act drink that costs \$1 and is designed to emphy. Paddock International expects much from an all-gal revue topped by Renee DuBois, and its new Oriental

chef, Togo Yama from the Miami Royal Palm.

Duke Roush, east main-production Broadway military (outfit over 20) opens for summer Thursday (30) with 12-piece cowboy band. The proprietor, Tom Endicott, whose famed daily newspaper ads are in the form of editorial—"I never drink a drop myself and hope my son never does"—will serve as his own m.c. again this year and has brought two Sioux Indians from the west as helpers.

Billy Van's with will remain at new Music Bar, which had successful opening last week. Club Hamad, one of few hot spots open all year, will begin 50th summer season with "Rave-revues of 1940." Babette's music, run by Danny Shubert and wife, who have just returned from Florida season, opens here with Earl Linday's All-American Seven and a return engagement of the Mac-Arture. Joseph Briglia's band and Orsona rhumba with will alternate with continuous music.

Glouce Burlesque house, only one to town, will remain dark until late June, as will the Garden Pier (April), the Bath and Turf Club, and 300 Club.

ARA, AGVA MEET TODAY ON PACT

Affiliate Representatives Assn. of New York held a general membership meeting last night (Tuesday) at the Edison hotel, N. Y., to appoint the organization with the details of ARA's negotiations thus far with the American Guild of Variety Artists. Both groups entered into a basic agreement a couple of months ago, but it's claimed by the agents that AGVA is not fully operating the agreement.

Another meeting is scheduled for today (Wednesday) between an ARA committee and representatives of AGVA regarding means of enforcing the basic agreement, which set up a system of franchising agents by AGVA.

Last week, for the first time, AGVA started revealing franchisees it is said to have issued indiscriminately before the basic agreement was reached. All agents who signed for these were asked to return them to AGVA and apply for new ones under the ARA agreement. However, the matter of AGVA changing these agents outside ARA is a source of some amount to ARA's dues appears to be stalemated.

ARA agents are becoming insistent that AGVA enforce the rule in the basic agreement which prevents acts from doing business through unfranchised agents. These reps claim they are meeting with unfair competition from the unlicensed 10-percentage, who are not bound by the agreement to charge only 10% commissions and live up to other regulatory measures.

Sherman's (N. Y.) Broke

The Sherman Catering Corp., operators of Sherman's and Club 14, the restaurant and saloon, 12 East 34th street, New York, filed a voluntary petition of bankruptcy in the N. Y. federal court Monday (27), listing assets of \$2,124 and liabilities of \$28,342. The bankruptcy has been closed since January 12.

Of the liabilities \$12,000 are secured and \$22,000 unsecured, with wages due totaling \$200 to kitchen help, waiters, bartenders, etc.

WATSON'S ACCIDENT

Roberts Also Out of Fair's 'Paris' Through Illness

Milton Watson, in the cast of "Streets of Paris" at the New York World's Fair Music Hall, was hit by an automobile Friday evening (28) near Flushing and injured enough to put him in Flushing hospital. Coincidentally, the car was driven by a friend of his. He'll be out of "Paris" for several days, his role being played by one of the chorus boys.

Another dislocation in "Paris" is the Frank and Jean Hubert team, which dropped out about the same time because of the illness of Frank Hubert. Paul LaVare and Smith are replacing until Hubert recovers.

HOTEL N. Y. ER AND AGVA SIGN

American Guild of Variety Artists reached an agreement Monday night (27) with the New York hotel, N. Y., for the use of the hotel. It is the first such pact signed with a hotel. Joe Ehrlich, hotel organizer, acted for the union and the hotel was represented by General Amin Corp., which books the shows there.

Pact calls for minimum of \$75 a week for principals, \$20 for chorus actors and \$45 for chorus dancers. Permits two shows nightly, seven nights a week.

AGVA cooperated with the International Alliance of Theatrical Stage Employees and the American Federation of Musicians on two different situations last week. Agreement was concluded ending a brief strike against the Bureau of Fun, N. Y., after the musicians, who had previously settled their own dispute with the salary management, walked out again until the spot also settled AGVA demands. Management agreed and made arrangements to pay off the amounts involved, so both strikes were ended Saturday (25).

Other joint action taken by AGVA was with the stagehands against the President Theatre, Bronx, N. Y. Spot was vacated over a week and agreed to sign a contract with IATSE after AGVA requested the agents with whom it has contracts not to book the house. In addition to settling with the IATSE, the management agreed to negotiate a contract with AGVA.

Agreement was also reached Monday (27) with the management of "Through Forbidden Thicket" at the World's Fair, after AGVA lodged a complaint with the NLRB over the alleged discharge of two of its members. Actual terms of a contract are to be set this week.

Sally Rand Wanted By Billy Rose for His N. Y. Fair Barbary

The New York World's Fair is a disappointment to at least one faction, the cast of Billy Rose's Barbary Coast, which folded its tent after show Saturday night (28). Alas Lyman's band has also received its notice, but continues playing the spot until June 8 at least, with the only other entertainment being a Ben Turt male quartet, dancing and a new vocal quartet.

Folding of the show brings the Barbary Coast's poor luck. Since its name as a terrific blow to the performers, who included Joe E. Howard, Fritz Schell, Tom Padriola, Willie Soler, Clyde Hager, Emma Francis, Lucille Johnson, Herman Hyde and Co. and Rose Blaine, and expected a full summer's run at the Fair. They had moved over from Billy Rose's Diamond Horseshoe in N. Y., where they had played for 18 months without interruption. If not for the Fair, some of you feel, they might yet be playing in the Horseshoe—and perhaps for another year or two to come.

Rose is due in from Friar today (Wednesday), where he went to open an Aqueduct on Treasure Island, and will then decide the Barbary Coast's future policy. One report has it that he's angling for Sally Rand to top a new show opening around June 15. It's possible he may re-engage some of the performers from the old tent, but in any event it won't be nostalgic. So far as he's concerned, the old-time days don't spell profits on the Flushing Meadows.

Vaude Acts' Motor Tragedy Again Points Up Hazards Of Auto Jumps

L. I. LIDO SETS NAME LINEUP FOR TEEOFF

Following this Memorial weekend's twirl for the season, the Lido Club, at Lido Beach, N. Y., will have a \$1,500 talent search exclusive of its bands. For the occasion of the season under Frank Reider's management, however, Jane Pickens, George Tapp, Benny Fields, Eric Madriguera's band, Cross and Dunn and Don Budgen, in a variety match, is the opening series of attractions.

From tomorrow night (Memorial Day) gives the show an extra-long weekend. Hereafter, Milton Seiden, of the management family, will book two or three acts a week via William Morris, MCA and anybody else.

AGVA, TOOTERS IN CLOSE TIEUP

Philadelphia, May 28.

The Philly unit of the American Guild of Variety Artists continued its drive to co-operate with locals of the American Federation of Musicians by citing five violators on their "unfair list" when they found that the spots were employing non-union bands.

The AGVA officials notified the owners of the Wagon Wheel and Maple's, both of Darby; Red Hill and McLean's, both of Pennsauken, N. J., and the Paddock Club, Atlantic City, that unless AFM bands were hired all AGVA acts would be forbidden to work in the spots.

The action was in line with the campaign carried on by AGVA in Philly spots. Both unions are working in union. Last week AFM members were ordered to refuse to rehearse any act that didn't carry an AGVA card.

Reis Drops 100G Label Suit vs. Sophie Tucker

Suit of Bernard J. Reis, accountant, against Sophie Tucker for \$100,000, claiming label to the Best 1, 1939, issue of the American Federation of Artistic Reporter, was settled and discontinued yesterday (Tues.) in N. Y. supreme court.

Article claimed that Reis made misleading and erroneous statements concerning the AFA, which he denied.

A blowout of a rear tire on an old car carrying a vaude troupe to a one-night stand at Loew's Globe, Bridgeport, Conn., last Saturday (28) resulted in the death of Jay Bee (Christman), 22-year-old performer, and serious injuries to four of the other five troupe members in the car. One of the latter, Max Maurine (and Vincent) is in such serious condition in Stamford hospital that a checkup yesterday (Tuesday) revealed he is not expected to live.

Maurine's partner, Vincent, whose real name is Abraham Horowitz, is also in a critical state in Norwalk General hospital. He suffered a broken rib, which punctured his left lung, and a fractured collarbone. Natalie Boyls, dancer, is in the same hospital with spinal injuries, a brain concussion and numerous lacerations. Paul Gerson, also in the Norwalk hospital, received a red head and a dislocated shoulder. They were resting well on Tuesday, according to the hospital. Estelle Sherry, singer and sixth member of the troupe, was only shaken up and went home. All were from New York.

The accident occurred near New Canaan, Conn., with state police trooper George W. Cline venturing the theory that Horowitz (Vincent), who was driving Maurine's car, was too slight to handle the heavy car when the blowout came. The car turned over several times and Jay Bee, who was sitting in the front seat between Horowitz and Maurine, received a fractured skull and broken ribs, dying in an ambulance en route to Norwalk. The other three were in the back seat.

Jay Bee was 21, though billed as around 37, and had been a professional ever since early childhood. He is reported to have been the sole support of his family, his father being an invalid.

The accident once again points up the transportation of vaudeville units for nearby N. Y. states via cars owned by actors. Among the one-night bookers it's a known fact that many acts are booked only because they own automobiles, and it's not a question of how good these acts are, but how good the cars are, or how many passengers they can carry. The act that owns the car usually gets a few dollars extra, but never more than \$45, for transporting the show. Few are ever licensed as common carriers, especially necessary in interstate commerce, but only when a tragedy occurs is this brought out.

Dunn Vice McKee

Henry Dunn (Cross and) was named national treasurer of the American Guild of Variety Artists by the union's board Monday (27). He replaces Alex McKee, who took the post temporarily when the organization was first set up by the Associated Actors & Artists of America last summer.

Change will be effective at once.

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STANLEY, PITT

Pittsburgh, May 28.

Jack Davis (18), 2 Sisters, Top & Wing, Ben Ben, Allen DeWitt, George Axel, Johnny Aron, Matt Jones, 18 Little Mothers (M-G).

House is given back to the jitter-bug this week after leading the customers Wayne King, Guy Lombardo and Glenn Gray in succession. It's up-and-running Jan Davis, the ex-symphonic leader turned star, who's currently driving his brass and more into the live bands. And they're eating it up. Less ardent followers of the modern idiom may find his music noisy and strident, for Davis doesn't do it half-way and his leaders blow their lungs out.

There must have been a moment, or two, however, at opening show when Davis might have wondered. That was when he stepped out, violin in hand, and dipped back into his symphonic training to come up with a silly solo, only to realize that such would have no part of it. They called and, stamped, and tapped maestro didn't even wait for any applause from those who might have appreciated his number, going right into his announcement of a brass-trumpet quartet of "Top Hat Shuffle." Too bad, because Davis is really an ex-thing man and makes the instrument talk, but in light of the style he's fostering, it might be wise for him to give his demonstration on something more popular.

Davis has the personnel to make it hot and loud, four brass, three trunks, three trumpets, drums, bass, guitar and piano, and they heat it out right from the start on "Wonderful World" and "Tenderloin Junction." There's a change of pace then with arrival of Allen DeWitt, who carries "Tale of Man," "With Upon a Star" and "The Romantic" in a voice that's just far enough from a conventional quality of smoothness. Maybe it's the way DeWitt does them—rather badly. On the other hand, there has a vocalist in Ben Ben, colored, who fits the Davis style like a glove. He's outstanding and could have stayed on forever apparently, even after cracking across "In the Book," a WPA lament, roughly "Old Man River" and "Pickett's Papers in the Park." That WPA number with Davis coming in as a common Greek chorus, is a sick novelty and ever big.

Ben Ben's on again at the curtain to "When" to end off in another burst of savage rhythm, on skat skat. Davis himself, who has made rapid strides in last couple of years, is a personable ringer who has a nice, engaging manner and the type that makes friends easily across the footlights. Might wisely diversify his arrangements a bit for stage purposes and inject some sweet stuff, which would also give him a better chance to demonstrate his adding wizardry. As it is, there's too much solid blare; even the most advanced swingsters are getting away from that these days and going into those rump-shaking off-harmonies. "Top Hat Shuffle" is of latter variety and had could use more like it.

Show carries only two outside acts, could easily use a third. Top and Wing, emcee of cute Chinese leaders, are clicks with their neat ballrooming, topped off by some fast barwork by Brown and an acrobatic stunts by partner. Other turn is the standard 3 Sisters, still show-stoppers, lack of new material notwithstanding.

Max Adkins' house revs, to the pit, overture several specially-arranged ballads, marked by "Love Come Back to Me," nicely done. His pretty good at get-into despite divergency.

HIPPI, BALTO

Baltimore, May 28.

The Virginia 181, Billy House (2), Sir Hoffmann Winfield and Ford, Paul Leaphin House Dink, "My Favorite Wife" (M-G).

Okay 15 minutes of variety here, with Billy House splitting his talent into two portions to facilitate playing. Made up of standards, layout plays smoothly from opening side held down by the Sir Hoffmann.

Club swinging sextet works smoothly, mixing in some tumbling, jump tuning and a strong, billy clanking trick of two-high stands on ladders. Winfield and Ford, in the house, contribute some good banter on a large drum. Tall member of colored troupe previously worked as part of Tip, Top and Tie in similar routine and is obviously more familiar with tricky possibilities of stepping on and off the colored steps. Make matters right for House in someone The Virginians after a number of gagging in his halting, comic style.

Blazing sextet of nice appearing lads give out with "Sembré," "Glory Road," a medley of marching songs and a nice workout of "Adey in the Deep." Latter starts as a boss who and winds up in swingy condition, good for secure of "Shimmy." Lads have the vocal equipment and appearance but have taken on such noisy interludes as the spiritual and trip songs which they wisely eschewed before. A return to

rejoice arrangements of jazz would take the set out of the welter of banter and starting confusion.

House closes with last collection of songs working out from and on stage in unimpressive fashion. Rufus knows his way around and comes to good effect. Interrupted vocal and rendition of comic lullaby garnish good routine and a series of songs, ending in a well-measured lot of poetic philosophy, nicely timed for present-day response. Barn.

EARLE, WASH.

Washington, May 28.

Ellen, Ritter, Baby Ring, Ben Ben, Yola Gali, Ward and Van, 18 Gun Fender (Dink; "Terror Zone" (WB).

It's the house line that walks off with top honors again this week, opening and closing the bill with such novelty. Opening act, vaudeville matinee show, is conducted by Ellen Ritter alone, but she's still a member of the sport's leading troupe and shows up in her regular spot in the evening numbers. Fender leads gals riding unicycle, which has had well built-up in papers. It gets one of biggest ovations of any act this season.

Community sing idea is entitled "Sing a Song with Mike" and varies little from tradition except that it's done by a female. Gals well known locally for her line specialties, leads working rhythm, walks up and down stairs and, when she spots a loud customer, yells "Hold it, Joe!" and brings down down front to take over. Guy in balcony also interrupts proceedings when he gets nobody good. Four acts were caught at show caught. Only one time is used, words being finished on screen first time. This week it's "Hill Out the Barrel" and they bowl it.

Show proper gets going with line in light cheerleader tap with megaphones, gals falling back as Baby Ring, blonde in white short skirt, appears for acrobatic stunts. Spins and walkovers are okay, but what puts her across with a wallop is walking up and down stairs on hands, followed by sick acrobatic routine atop platform, standing on hands and putting on hat, picking up handkerchief, etc., with bare legs. Ben Ben follows with fast, varied juggling, topped up with smart comedy always just this side of slapstick. He works with three tennis balls, then four, followed by five; then three Indian clubs, including effective rhythm step between, and closes with complex routine of three tambourines in Spanish tempo.

Line back for brief nice looking ballet bit, setting mood for Yola Gali to enter working "Blue Danube Waltz." Attractive blonde, in light blue net, parks nice coloratura and knows how to sell it, especially in "South American Way," which she evaluates "I had the honor of introducing it to Brazil," and in "Russian Rhapsody Rhythm," which gets her off to strong start. Ward and Van stonks out next with barn and fiddle. Trumpet remains in battered tin hats, maintain inevitable round of rhythm throughout and playing of "Oh Johnny" and "Rumors" band, with heavy emphasis on straight ending of "Whistle Your Blues Away," and then ends smartly with "Waltz Nocturne," done seriously with deep bowls.

Caly.

EMBASSY, N. Y.

(NEWARK)

There's no letup in the belligerence of Europe at war in this week's newsworld, and while the clips in other weeks have been more or less commonplace, this session sees a reversal of form in the excellent snips, particularly by Paramount's Arthur Menken.

Menken, while there's no denying his creditable job in talking the battle between the German bombers and British convoys in Harwich waters, is inclined towards sympathy immediately, but that, however, doesn't differ from the rest of their starting effect.

Pacific goes behind the German lines in Norway, showing the Nazis rebuilding bridges they had destroyed earlier, while Universal has a stirring clip showing Belgium fleeing the Nazi bombing raids and advancing industry. Other tragic results of the latest Nazi blitz show victims in the Holland royal family, including Queen Wilhelmina, arriving in London.

The talk by President Roosevelt of America's need for the manufacture of 50,000 planes yearly for its own use is brought home by Par in emphasizing the American lack of preparedness. All London's speech in Yonkers (Fox), where he urges the withdrawal from third-term candidacy of President Roosevelt at the price for GOP aid in the New Deal defense program, smacks of bureaucracy.

Raymond Gram Swing is having in his weekly war review especially prepared for the Embassy. There's little that's informative in his narration, with the use of the war map, and his analysis fails to go beyond those of the dailies. He seems to be leaning more and more towards an emotional style.

STATE-LAKE, CHI

Chicago, May 28.

Blackstone Unit 181, Billy Brown, Ben Ben (13), "Take This Woman" (M-G).

Blackstone does half the show with his magic group and Bill Brown's busy comedy band make up the second half for a generally entertaining hour. Indications point to profitable h.o. week.

Blackstone headlines and stands out with fully 45 minutes of bang-up stuff. He's a master showman, handles an audience with skill throughout, is sure when the occasion calls and gets laughs easily when laughs are rated.

He does mostly top night stuff inside of hand manipulation. Plenty of disappearing and reappearing women. Many elaborate hidden with girls, men, flowers, etc. Particularly good are his Hindu rope trick, the girl in an automobile tire, the girl on the electric spikes and the finale, in which Blackstone switches costumes instantaneously on the stage. In between he has a little rabbit trick for the kids and a fine paper-cutting bit. He could have stayed on stage all day according to the applause and reactions from the mob.

Brown's comedy band had a couple of fair laugh bits, but the act made real comedy and roasting of it began to continue playing the better laughs. Brown is offering nothing new and the turn lacks showmanship at all times. He got decent, Dorothy Panner, doesn't bring, while Tommy Hawley, comedy leader, insistently does the same clip-stroke over and over again. He also comes to with an impersonation of Charlie Chaplin.

Brown's group continues to swing selections of classic comedies, with each member of the orchestra wearing a mask representing the composer. French with a knock-out melody which is funny in spots. This should be the end, but it's supposed to show on Saturday (28) Brown invited on making a rambling speech.

Gold.

New Acts

HENRY, BIRD and LARRY Comedy Masters

Hotel Astor, N. Y.

This is a good switch on the bottom Broadway dance teams, the trio being introduced first as a two-act, opening conventionally, with the comedy songs, in dinner-jacket, starts breaking it up. He entrances from the audience, and if the illusion of being a pseudo-dancer from among the club customers were carried out a bit further, it would be even more effective. While such vagaries tend to, if any, still there's no point in telegraphing it too hard. The comedian, however, in business suit, contrasted to his partners' formal attire, might be a production thought.

Anyway, now the Henrys to make the evening bottom is basically funny. It's not satire stuff, and burlesque parody. Instead, the three evolve into a good comedy trio number, one maintaining pace and the straight man especially good. He looks like the maestro, Larry Clinton, slender and muscular, contrasted to the shorter male comedian. They clicked here, and are okay for any club or medium bookings.

Art.

JANE FRANK

Summit

114th St.

Paramount, N. Y.

Miss Fraser is a top-notch reminder of Joan Davis in both appearance and manner of working. She adds comedy to her expert bookwork, via facial expression and excellent use of hands and shoulders, while Miss Davis indulges in heavy slapstick. Her stunts are particularly strong in a varied routine of top-notch, clear tap-dancing.

May only drawback, and this is slight, is perhaps her dress. It seems either too formal or not formal enough, but doesn't jibe with her comedy type of tapping. Nevertheless she's a good bet for both variety and stage show.

Rev.

HARRIET LONG

Sings

Vault Club, Pittsburgh

Hot singer works something on the order of Martha Raye, only more so, if that's possible. She has a real personality, plenty of s.s., knows how to sell and has enough of a voice to get by very nicely. Miss Long is one of those unshakable comedians who gives back herself and the audience a real workout.

She's all over the show, throwing her legs and arms in every direction, leaving the make to a frantic, capricious one minute and shaking it in place the next. Gals are rarely but never offensive, and she's a natural for variety. Might even be okay for theatre, considering the pallid delivery of most working comedians.

Over big here with the staggers, who even let her get away with less than half a dozen numbers.

Cohen.

15 YEARS AGO

(From VARIETY)

Yankees were using a new gag to get dates. Many were shifting to medicine shows, particularly in the Midwest.

Willie Howard was studying law and announced that he might quit the stage to devote all his time to getting a legal diploma.

The Theatre Guild was taking over a Shavian series of plays for presentation over several seasons.

Despite a great cast that included Raymond Maury, Curly Gray and Lyndie Thorneike, "The Round Table," opening in London, looked like a dud. However, Noel Coward's new show, "On With the Show," produced by Charles B. Cochran, looked like a click in the West End.

Warners was grooming two future stars, sisters, Blaine and Dolores Costello. The latter was immediately sent to William Fox and Turner act for a pie opposite Sid Chaplin.

Of 12 actresses listed for the title part, Belle Bennett was signed for "Sheila Duff." Lila Horne, the child actress, recently discovered by Sam Goldwyn, was to play the daughter.

"Old Home Week" looked like a good film h.o. bet. Thomas Meighan starred, Lila Lee featured.

George E. Kaufman was taking a leave of absence from his dramatic editor's desk on the New York Times to complete two plays, "The Butler and the Boy" and "The Inner Light." Herman Mankiewicz was to be acting editor, with Sam Lublow his aide.

An impending marriage between a well known Jewish songwriter and the daughter of a millionaire revived the Pope's sanction, though the girl's father was very much opposed.

VAUDE REVIVAL MULLED BY PAR FOR HUB'S NET

Paramount is again discussing a revival of stage shows at the Metropolitan, Boston, which is operated for the circuit by Muller & Pineski. House has been in straight pictures for nearly two years.

Primary difficulty at present is getting a deal with the musicians union. If the house does come back on Par's stage books, its policy will be similar to the chain's key house on Broadway, namely spotlight headliners.

Return of the Metropolitan to the Hub may also force RKO, which has been playing vaude only three days a week at Keith's there, to reinstate a full-week policy.

Dempsey Vice Aaron In B'way Restaurant

At a meeting of stockholders of Jack Dempsey's Punch Bowl, Inc., corporate name of his Broadway establishment, held Saturday (18), Dempsey was placed in charge of active management, succeeding Jacob Aaron. Underneath Dempsey, who holds title of president of Punch Bowl, Inc., being re-elected at the same meeting, has 300 shares of stock while Aaron controls 100.

Dempsey's Broadway place differs from his restaurant on Eighth avenue, in that it caters to the popular-priced trade.

Aaron had quit in Supreme court Monday (17), seeking to get aside the action taken at the board meeting and threatened that he may take his money out of the Eighth avenue restaurant, in which he controls a majority of the stock. One report is that Jack Aaron, Dempsey's former business manager, may take over active management there.

In Aaron's suit, he alleges that the election held at the meeting on the Broadway place, re-electing Dempsey and others, but ousting Aaron as director-manager, was illegal. Directors in the B'way restaurant, in addition to Dempsey, are Ray Sheffer, Louis I. Brooks and Max Waxman.

Aaron charged that his working was spite work and that Dempsey has not spent three hours at his restaurant in the last six months in violation of existing agreement.

Cohen.

Unit Review

Barn Dance in Swingtime (NEWARK, LINCOLN, NER.)

Lincoln, Neb., May 28.

Frank Bowden, Ed Dennis Sisters, Pamela (Don Freedland, George Bowser), Billie Miller (Gerry Knox, One Night), Dick Parker, Three Penningtons, Palmer Tynes, Carl Mollison, Murray and Fayne, "Five Hands and 21" (M-G).

Suffering a bit by having undergone a major operation which removed Carl Mollison (Uncle Ed) from the cast, "Barn Dance in Swingtime" was making 10 days, including this three-day date, without loss. Millions, affected by the high altitude coming this way from the Coast, rejoice in Hammett, Mo. (28), and will continue to function on the eastern portion of the tour at m.s.

As the unit now stands, the barn dance flavor kept present at all times by Mollison is almost completely jettisoned out, and a dude, Harry Payne, of the act Murray and Fayne, does the interlude getting. Outside of the Penningtons and Billie Miller, who double up their efforts late in the show, it's the Palmer Sisters, a duo of Kentucky reapers, remainder is strictly a vaude unit and dressed accordingly. Fayne is a pugilist, who takes occasional liberty with good taste, but doesn't overstep often enough to arouse the ire. A lot of his material lacks newness, but.

After an everybody-no-stage start, first to greet the house alone is Frank Bowden, emcee, who does nothing hard, but warms the show okay. Ed Dennis Sisters, stridently leading, continue in leading the unit out of the barn locale, both in costume and dancing style. Lighting is best about the turn, but it fades as a whole. Penningtons Don Freedland and George Evans, interludes, left it back for a moment with a couple of billy pipes, before being "Rhythm of Ranges."

Insertion of comedy comes here, with Payne stretching from his introductory speech for the next act by doing a weak Ted Lewis clowning bit. Makes way for the Billie Miller, Gerry Knox and One Night, whose harmony is such as to indicate travesty rather than talent. Dick Parker, a 14-year-old, sings with a band member at this juncture; then comes back on his own. Has a typical kid show voice, and belted all but one number.

Ed Dennis Sisters, returning for a while, make it their best appearance, and, attractively groomed, their presence is accent in the show. The Penningtons, operate somewhat, another of the unexpected things developing behind this "Barn Dance in Swingtime," goes, three numbers across family, and is followed by sharp contrast with the bounding Palmer twins, who rip off a trio of fast Oklahoma tunes. Activity is a bit better for them, by which their act differs from the usual in this vein. Murray and Fayne, dancers, are crowdie patterners, with the slowest being a presentation of a singing Mexican hairless puma, who looks off with the band. Laughs or generous all the way.

Running time is 55 minutes. Big fair to good. Unit is owned, booked and presented by Bill Aaron, who is re-doing territory he used to date for the now defunct William Cushman line. Not strong enough for the big boys, "Barn Dance" should be able to play the smaller spots. It's almost wholly a west coast act, so some of the radio acts, as most of the heavy ones are, mean something out this way.

Art.

VOCALS WITH CUGAT AFTER AFM REBUFF

Miguelita Valdes, top star-maker in Cuba, was brought up by the William Morris office ostensibly for Ben Marden's Riviera, in Jersey, which opened for the summer Thursday (22), but the managers union wouldn't permit him to organize a vaude band per the Riviera's plans. Valdes worked for Marden at the Havana Casino last winter.

With the union talking his Riviera deal, Valdes instead shifted over to the Waldorf-Astoria hotel, New York, at vocalist with Xavier Cugat's unit.

Goodman in Seattle

Seattle, May 28.

Benny Goodman's one-night stand last Friday at the Triumf, John Ferguson's ballroom, at \$1 per, was near capacity. Around 4,000 passed through the forest.

Goodman also played in Tacoma and Spokane.

Sam Weiss installed as manager of Music Building Corp. office in Hollywood following resignation of Artie Schwartz to look after his own music interests.

CBS' GUARANTEED ROAD

Managers Comply With New York's Ticket Law; Start Printing Notices

In compliance with the new state law, managers are starting to print a notice on tickets that the maximum premium chargeable for orchestra and box seats is 15 cents, if paid by an agency. The wording is rather confused, but sets forth that for any other location the amount over the face price shall not be more than 10 cents. First attention is given under the new statute to "Keep Off the Grass," Broadway. Theaters and agencies are still waiting word from license commissioner Paul Moss that the law is actually in force.

Surprise move in the ticket field came with the application of the Arms agency to come in under the rule. It had been contesting the right of the League of New York Theaters to enforce the code and sought a restraining order last year. Court turned the argument over to a referee and the latter ruled against the ticket people, judge accepting the opinion in its entirety.

Code enforcement board will act on the Arms application and indications are the offer to comply with the rules will be accepted. City agency, operated in the 11 Club, agreed the code after being outside for a year. Reason for Arms' change of front is attributed to the adoption of the new law and the apparent difficulty in securing tickets for the hits.

Another angle is the recent questioning by the board of several brokers and boxoffice men doing business with uncredited agencies, of which Arms was one. One broker accused of over-charging was checked up and it was found that he is allotted eight tickets nightly, but that all had been returned to the boxoffice. That implied he was not going outside the rule, or was getting other tickets from an unknown source. Understood that he will lose the tickets unless proving he can dispose of a reasonable amount of tickets.

U.S. Legit in Mexico City in Anticipation Of Bullish Tourism

Mexico City, May 28.

With Mexico anticipating the biggest tourist season in its history because of the European environment, a group of U. S. and native legit and film players has organized an English-language theatre here in hope of making it. Organized along stock company lines, it has leased the American Theatre.

Initial show, slated for June, will be "The Bad Man." It will be followed by "The Guardsman" and a new play, "Gallery Girls," by Ed Meyerman, researcher for a New York advertising agency. Schedule is not set beyond that. Co-directors are Lillian Hellman, of Chicago, and Alejandro Fernandez.

Abbott and Holm Want Betty Field For Play

During his current stay on the Coast, George Abbott is conferring with Betty Field about playing the female lead in his first Broadway production in the fall, John Cecil Holm's "And One for the Lady." However, she has already been offered the lead in the new Paul Vincent Carroll play which Eddie Dowling is to present.

Abbott, who is producing-directing "The Many Girls" at BKO, and Miss Field, now making "Victory" at Paramount, have been associated in several shows, including Holm's "Three Men in a Boat" as well as "My Merry Girl," "Roses for Her," "What a Life," "Prisoners Path" and "King of the Hill."

Gibberish to Gillmore

During a recent session of the Associated Actors and Artists of America, an Equity official or progressive remarked that he'd like to see all the a.k.a. off the association's council. Frank Gillmore asked what the expression meant.

An element in the council was also referred to as "bigot" after the petition nominating Tallulah Bankhead for council was filed. It singled out Sam Jaffe as her opponent, but he was elected.

Sam Harris Group Acquires Lyceum, Takes Over June 4

Acquisition of the Lyceum, N. Y., last week by Sam H. Harris and associates was something of a surprise along Broadway, but the deal will not be consummated until June 4, when title to the property will have been cleared. The Harris group, which includes Marc Hellman, Max Gordon, Moss Hart and George S. Kaufman, sought to obtain the Martin Beck, but that veteran declined the bid, saying he did not wish to retire from show business.

Lyceum, which was built in 1903, has been on the market for several years and was considered a realty bargain. House cost \$900,000 and the property was assessed at \$450,000 annually. That representing the ground value which originally was \$220,000. Sale price was \$340,000 and the amount of cash required is understood to be \$40,000.

Property was in the possession of the Brewery Savings Bank, which took over because the first mortgage of \$220,000 was foreclosed. It was rented almost four years ago by the late Spencer Bellheim, of Harris' Music Box ticket staff, and Otto F. Diehl, chief electrician for the producer. They did fairly well in operation until shortly before Bellheim's suicide. Diehl arranged the purchase and is turning the Lyceum over to the Harris interests, probably retaining a share.

In addition to the investment possibilities of the Lyceum, house will provide another outlet for the Harris attractions, which have been berthed in other theatres when the Music Box is occupied. Longer engagements will be possible with the house and show under the same management, also better chances for profit.

Theatre proper is on west 4th street, but also extends into 4th street, that part being a narrow strip with offices above. Harris will probably keep his own office in the Music Box, with the staff moving to the Lyceum.

John Emery Replaces Donald Cook in 'Skylark'

Unusual procedure was followed by John Golden in engaging John Emery to replace Donald Cook in "Skylark," which ended its season at the Marquee, N.Y., Saturday (28). Emery played the final three performances and his entrance into the cast at that time was figured to save rehearsal time to the play's opening out of town. Both he and Cook were under salary. Victor Vane retained the show for the final week, having been not to appear in the short-lived "Out from Under" and will go on tour.

At the request of Gertrude Lawrence, who stars in "Skylark," it will play the first week in July at the Cape Playhouse, Dennis, Mass. It then moves for the Coast, opening July 11 at the Biltmore, Los Angeles. Tour is booked into next February, with Miss Lawrence due back on Broadway in a new play thereafter.

10 WEEKS' TIME VIRTUALLY SET

35-Week 'Circuit' Seen Feasible in Three Years, But Shorter Route Gets Going Next Season—Web to Finance Shows, Paying Royalties to Managers

VIRGIN TERRITORY

The creation of 10 weeks of guaranteed road dates is anticipated within the next three years. For the coming season 10 weeks of such time is virtually assured for two or three standard attractions. Later more shows would be required. It is virgin territory which is impossible to play under ordinary conditions.

Newest road proposal, known to be highly favored by showmen in whom it was broached, has been put forth by the current bureau of the Columbia Broadcasting System. It had been reported that Cbs and National Broadcasting Co. had talked plans to use legit shows, but the idea is very much alive, particularly on the part of Cbs.

It had been stated that a year's preparation would be required to obtain subscribers, but that does not apply so far as the Cbs plans are concerned. Proposal is an attractive from the managerial end and there is little doubt the new bookings will start next fall or winter with a 10-week season for a start.

Plan, which appears more advantageous than the several other road ideas now in the discussion stage, has been put forth convincingly by Ralph Cohn, a young attorney, of the Cbs bureau. Latter has constructed a book of small communities for concerts and recitals along "package" lines and that makes it possible to use some plays in legit variety to the presentations. Ward French, also of Cbs, who is familiar with the "new territory," is in charge of details.

CBS Financing

Cbs is in finance production in entirety, but the manager is to have complete charge of routing and direction. Royalty to the manager is to be paid on an agreed gross level, determined on the takings of concert attractions up to now, and royalties to authors similarly arranged.

As outlined, the manager cannot lose and is guaranteed a profit without investment in short term over the Cbs circuit. Figures presented show amazing attendance in remote communities. Even in towns with a population as low as 1,000, nightly attendance has been the rule, showing that concerts draw from other communities. Stage plays would be on a six-night weekly basis, with the top set higher than \$2.50.

Managers and shows requiring large casts and expensive productions are not feasible for the Cbs time. Explained that interest in the presentation made in far has been whetted by local radio broadcasts, which would naturally apply to legions. First attraction likely to accept the radio chain's bookings is "Continued on page 50."

'LIFE WITH FATHER' WINS NEGRUE PRIZE

The Bio Cooper Negro prize for the best comedy of the season has been awarded to "Life With Father," at the Empire, N. Y. Selection was voted Monday (27) by the council of the Dramatic Guild. It is the first time the prize has been given since Arthur Hays Sulzberg's "Mying a Wholesome Time" won it in 1931.

Award goes to the two authors of Father: Ruel Crooks and Howard Lindsay. It's the eighth award of 10 specified in the Negro prize.

Bert Lytell Ticket In at Equity; Union's Assets of \$487,000 Surprises

Equity's annual meeting and election at the Astor Hotel, New York, Friday (26) was an orderly event which saw the naming of the regular ticket headed by Bert Lytell. Most interesting to the membership, attendance of which considerably under expectations considering the fact that leaders were placed in office for a three-year term, was the excellent financial condition of the association despite unusual outlays during the fiscal year which terminated March 31.

Cash on hand totals \$218,000. Total assets were placed at \$487,000, as compared with \$450,776 the previous year. Net income was \$18,000 and would have been \$10,000 more had the arrangement with the Screen

Actors Guild not terminated last fall. SAG paid over to Equity the equivalent of its annual dues from legions in Hollywood studios, that income having been the Coast contingent withdrawn from the association. One of the major cost items is not, however, as the president receives no salary. Frank Gillmore used to get \$12,000 annually and is paid that for the report, it is he repeatedly authors and Artists of America.

The Equity building has a book value of \$80,000, but probably would not bring more than \$30,000 at this time. It cost around \$120,000, including remodeling the property. On hand, too, are securities and mortgages totaling \$80,000. Pointed out that as of March 31 the market quotation on bonds was but \$1,500 under the levels at which the securities were purchased, although the values have probably dropped since that date.

Among the assets are monies due from affiliate unions in the Four A's, including the parent union, totaling \$25,000, and including a recent advance to the American Guild of Variety Artists, which were most of the monies. Counted in, too, are World's Fair bonds, that investment being \$10,000, but those bonds dropped over two-thirds in value. Charles Equity also loaned AOVA money, but that is not included in the report, it is separately accounted for by the branch.

1,242 Withdrawals

Significant was the membership data. There are slightly less than 2,000 in good standing out of a total membership of around 4,200. During the year there were 1,242 "nominal withdrawals," the largest number in the history of the association. That total was reached largely through the mass withdrawal of the Coast membership when the SAG deal stopped, number dropping out from there being over 900. Withdrawal means severance from Equity, but those in that category may return in good standing by payment of the regular dues (\$18 yearly) without initiation fee. Balance of players not paying dues at this time have current cards, meaning they are unemployed and not liable for dues until getting engagements.

There was an impressive list of membership losses by death, prominent stage and screen names being lost off. However, there were 610 new members admitted. Idea of one big union did not receive consideration, it being a Four A's matter. From the floor, however, came a proposal that Equity go on record as favoring unity. The chair put the clasp on the motion because of its political nature and those present were told that there are any number of pure organizations in which they may subscribe.

Higher Minimums Back to Council

Proposal to raise minimum salaries from \$40 to \$50 weekly was discussed after a committee's report on the move was read. Report recommended that it be given further consideration because of other steps involved. The plan to raise the minimum was sent back to council for that reason and may not be thrashed out again until autumn. That would indicate that there will be no boost during the coming season. If the move were decided on by referendum it is believed it would be voted in.

Should the minimum be raised, it is almost certain to be accompanied by the upping of Equity initiation fees from \$20 to \$100, or more. Higher minimum pay would attract membership applicants from other fields. Another development would be the establishment of a new class of membership, who would be apprentices, probably getting half the minimum for at least a fixed period. Argued that new members should not receive as much as experienced players, since it would be unfair to the latter.

A lower classification (A1) is to be formed. Originally, junior got \$25 weekly minimum, but this was "Continued on page 50."

Guild, Farmer Settle Tiff on '5th Column', Charges Withdrawn

Matter of Frances Farmer versus the Theatre Guild over her withdrawal from "The Fifth Column" during rehearsals has been settled, and charges against the actress that she breached a run of the play contract will be dropped. Miss Farmer did not come on from Hollywood, where she is doing picture work, her attorney Arthur H. Krav making the adjustment.

Understood the actress has agreed to pay \$1,000 in settlement. Originally she offered \$500, part of which was an advance received on salary. Guild end, which includes Billy Rose, who had a piece of the play, which recently closed on Broadway until autumn, asked for \$1,500. Katherine Locke replaced Miss Farmer in the cast.

When Miss Farmer suddenly walked and turned up on the Coast, it was explained that her hasty action was the result of an emotional shock. It was then revealed, too, that she separated from her husband, Lief Eriksen, now appearing in "Higher and Higher," Shubert, N. Y.

MANAGERS ASK EASE ON SUNDAY SHOWS

New move to ease Equity's restrictions on Sunday performances has been made by the League of New York Theatres. In view of the present situation in the theatre, the producers-theatre owners organization has asked the actor union to permit Sunday performances at the same pay as weekday shows, with another night off to be substituted for the Sabbath performance. Equity council yesterday (Tuesday) referred the matter to its committee on unemployment.

Subject of Sunday shows has arisen several times in the last few years. Such performances were made legal a couple of months ago by the State legislature, but Equity's regulations requiring double pay for Sabbath shows has discouraged the practice. It has been tested several times, but never proved profitable at the hoped rate.

Alan Hewitt was named yesterday (Tuesday) by the council to the vacancy in that group created by the recent election of Augustus Duggan to the third vice-presidency of the association. Hewitt will serve until the next general election in May, 1947.

Coburn Quits H'wood

Hollywood, May 28. Charles Coburn, slated off to Europe yesterday (Monday) to resume his summer job as director of the Midway Drama Festival in nearby New York.

His last picture role was in "The Captain Is a Lady" at Mirco.

UNIONIZED OPERA LOOMS

AGMA OPERA SCALE

	Single performance	Minimum weekly	Maximum per week
Leading tenors and sopranos...	\$50	\$150	5 performances
Leading baritone...	40	120	4 performances
Leading mezzo and contralto...	30	100	3 performances
Leading tenor...	20	80	2 performances
Stage director...	10	40	1 performance
Comptroller...	5	20	1 performance

'FATHER,' 14G, HAS CHI TO ITSELF

Chicago May 18. Legit play is on and at the end of this week only one show will be left in town. That will be 'Life With Father' which is going along in fine fashion in the Blackstone.

'Margin for Error' called it quite Saturday (15) after three poor weeks in the Grand and this Saturday (17) both 'Man Who Came to Dinner' and 'The Merry Widow' after 22 weeks, and 'Little Women' after six weeks, will end Chicago runs.

In the offing is the Al Jolson-Maria Faysa-Ruby Keeler musical, 'Hold On Your Hats' which comes into the Grand July 1.

Estimates for Last Week
'Life With Father,' Blackstone (14th week) (1.300; \$2.75). Most of it is window sale now and off from capacity, but still keeping \$11,000 last week.

'Little Women,' Selwyn (15th week) (1.800; \$2.75). One more season for a show which got splendid notices, but which failed to handle trade in a town suddenly gone dull. Took \$9,000 last week.

'Man Who Came to Dinner,' Harris (12th week) (1.600; \$2.75). Has had highly predictable stay and will have taken well over \$200,000 for total run here. One more week. Snagged \$8,000.

'Margin for Error' Grand (16th and last week) (1.500; \$2.25). Never got started and only ATS subscription saved it during first two weeks. Would up to \$4,000 without ATS support.

MUNI, \$6,000, SLIM IN L. A.

Los Angeles, May 18. Light opera season at Philharmonic Auditorium continues to draw heavy trade. Festival is now in third week, with one more to go. Current offering, 'The Merry Widow,' will be followed by 'The Bad Girl.' Paul Hensel would up his tour in 'Key Largo' with six nights and two matinees at the Shimmere to just ordinary box.

'Oscar Wilde' is in final stages at El Capitan, from where it goes to Friess, and 'Meet the People' continues at slightly slackened pace at the Hollywood Playhouse.

Estimates for Last Week
'Key Largo,' Shimmere (1.600; \$2.75). Paul Hensel brought his road tour to an inconspicuous close here, one week being sufficient for this stand with a slim \$4,000 passing through the wrist. House dark until Gary Lawrence moves in July 15 for two weeks in 'Blackout.'

'Oscar Wilde' and 'The Merry Widow,' Philharmonic Auditorium (1.700; \$2.75). Dual Gilbert & Sullivan bill, with John Charles Thomas featured, brought big \$25,000.

'Oscar Wilde,' El Capitan, Hollywood (1.500; \$1.80) (15th week). Low net makes the better than \$2,000 draw highly acceptable. Press would up (11) then goes north.

'Meet the People,' Playhouse, Hollywood (1.100; \$1.60) (21st week). Several theatre parties early in week helped for around \$4,500, good.

'Road' 7G in Del.

Detroit, May 18. Carrying on the current stage season well past its customary close, 'Tobacco Road' ended a three-week stand Sunday at the Carr, winding up with estimated \$1,000 for the last nine performances at \$1.45 top.

It wasn't a bad haul, coming on top of \$21,000 for the first two weeks.

'LA. PURCHASE' TERRIF \$34,000 IN PHILLY 2D

Philadelphia, May 18. Philly's legit scene for 1949-50 wound up Saturday night (18) with the lowest box office finale attraction has exhibited in many a year.

'Louisiana Purchase' hit approximately \$24,000 in its second and final week at the Forrest, the difference between that week and the show's first week being largely in the matter of standees. First week's take was estimated at \$22,000. Five matinee and six night shows were over every night checking on number of standees.

Two weeks for 'Purchase' represent a record for house at \$1 top, according to management.

STATE THEATRE QUERY ON IN VA.

Richmond, May 18.

Robert Porterfield, director of the Barker Theatre, Abingdon, Va., has been commissioned by the state department of education to conduct a survey to determine the practicability of establishing a State Theatre in Virginia. He is to query schools and colleges regarding their attitude in such an institution, which would be the first state-operated organization in the U. S.

Barker Theatre, which was opened seven years ago, has become established as one of the foremost show-houses in the country and this summer will have three companies touring over a radius of 150 miles from Abingdon, playing towns in Virginia, N. Carolina, W. Virginia and Tennessee. Figured likely that if the survey indicates that a state theatre is feasible, Porterfield's Barker organization will be as designated.

Kim Van Alen
Cheryl Crawford is dicker with Kim Maxwell to play the Alexander Woulcott part in a revival of 'Wine of Chorus' at Maplewood, N. J. His summer... Auril Lee, who returned last week from a Broadway version, will direct at Kim Van Alen's Theatre, Harrison, Me. Edith Van Cleve will be stage director at Harold 2. Kennedy's strawbatter at Amherst college, Mass. Harry Ellerbe will direct at the McCarter Theatre, Princeton, N. J. Study Vallee is being offered for guest dates in 'Tonight at 8:30' for \$800 a week plus 20% of the gross over \$2,000.

3 THATers Ousted

At a hearing held Monday (17) three members of the Theatrical Managers' Agents and Treasurers union were expelled by the ethics committee for alleged anti-union activities. Those involved were Max G. Felder, Shaktin Leigh and Ben Brandle, of THAT's motion picture division. They are connected with Bronx Film Theatres. One refused to walk out of a house with which THAT has a dispute, another trying a THAT picket line, the third not being in good standing.

Charges had been introduced to be considered last week, but the affected members went to court, seeking to restrain THAT from conducting the hearing and asking for an injunction from Judge Silverman, secretary-treasurer of the union, and Charles P. Carroll, of the picture division. Action was dismissed by the court.

CHICAGO SIGNS, MET PROBABLE

American Guild of Musical Artists Recognized—Management Contracts or Undercover Agreements by Executives of Opera and with Singers Specifically Outlawed

CLAUSES

The American Guild of Musical Artists Monday (17) signed its biggest victory when negotiations with the Chicago Opera, second largest organization of its kind in the country, came to a successful conclusion with the signing of a revised shop contract. For AGMA the negotiations were conducted by Ted Carr, assistant to the Executive Secretary, Henry Jaffe, general counsel, and Mrs. Herbert Witherspoon, while J. C. Thompson, general manager of the Chicago Opera, handled the discussions for the company.

This is the first time in AGMA's history that it has succeeded in winning a closed shop, and while contracts were in existence with the Chicago and Metropolitan companies previously, they never were as far-reaching as the one now signed. Meetings a meeting will be held in the offices of Frank Gilmore, president of the Four A's, today (Wed.) at 120, between Edward Ziegler, assistant general manager of the Met, and the AGMA officials to attempt to set the same type of agreement. Previous meetings with Met officials indicate that a similar contract will be signed with minor deviations, where the Metropolitan situation varies slightly.

The salient points in the contract are as follows:

AGMA is recognized by the Chicago Opera Co. as the exclusive collective bargaining agent for all solo singers and stage directors; all chorine singers; all choreographers, solo and corps de ballet dancers, in all grand opera performances, operetta, recitals, concertos, produced, staged, managed, owned or controlled by the company, or any subsidiary of it. The Chicago Opera Co. admits that for collective bargaining purposes AGMA represents a majority of its artists.

All artists employed will be members of AGMA in good standing, or will become so immediately, and will remain so throughout the engagement.

Detachment dues shall be deducted from wages and turned over to AGMA. No other deduction whatsoever shall be made from wages, except those or withholdings as provided for by law.

AGMA agrees to accept any artist the company wishes to employ except those not eligible through suspension or expulsion.

The company agrees to accept AGMA's minimum terms for artists and will pay no one less. No waiver of any right shall be accepted by the company unless agreed to by AGMA. Artists may secure better terms—just laid.

Any existing contracts with less favorable terms shall be modified. The contracts will be in triplicate—one to the company, one to the artist and one to AGMA.

Dancers—they are to be employed by the week for the full season at a minimum of \$40 weekly, and \$25 on tour. Six more than seven performers weekly and at the rate of one-seventh of \$40 for each performance over. During rehearsal weeks the pay shall be \$20, and no rehearsal shall be more than 8 hours daily, at 25 hours weekly. Overtime is to be paid for—the rate of \$1 an hour.

During the season, 17½ hours of rehearsal a week will be allowed, or two and a half hours daily for a full ballet performance, and three and a half for ballet in opera, 24

Weather Helps B'way Legit; 'Grass' B. O. OK, 'Night' Big 22G, 'Song' Fair 10G, 'Animal', \$11,000

'LINCOLN' GETS \$6,000 AFTER PIC IN SEATTLE

Seattle, May 18. Raymond Marney, in 'The Lincoln in Illinois' at the Metropolitan for two days last week, did an estimated gross of \$6,000, uncollected gross.

The 'Lincoln' (RKO) film, which here a few weeks ago and died. Its effect was considered unfavorable to the stage production, which was out from three days to two.

\$5,000 to Naps for 'Ake'

Minneapolis, May 18. Winding up the legit tradition here, 'Ake' (Lurens in Illinois) closed at \$2.75, and did an approximate \$5,000 for two nights and a matinee at the 2,200-seat Lyceum. Play came directly on heels of film and, considering generally adverse conditions, fared well, although takings were considerably under expectations.

rehearsal may be called if the dancer is to be two operas in the same day.

Choreographers are to be engaged by the month, and during rehearsal are to be paid \$10 monthly and are not to work more than 32 hours weekly or three in any day. Any overtime is paid for at \$5 per hour. During the season the minimum salary is to be \$50 weekly for no more than seven performances a week and any performance over that amount is paid on a one-seventh basis.

Pay day is to be each Saturday for those on a weekly basis, and at the conclusion of a performance for those on a per-performance basis.

Transportation to the city where an out-of-town opera is to be given, and back, is to be provided concert.

Don't Have Angles

No person who either (a) occupies a paid, supervisory, or executive position with the company, or (b) receives compensation from the company and participates in the engaging, casting or discharge of artists shall be permitted to act as manager or personal representative of any person in the employ of the company, or receive any fee, commission, or other consideration from the artists in the employ of that company.

Any controversy or claim arising out of disagreement on the terms or breach of contract between the parties shall be settled by arbitration in accordance with the rules of the American Arbitration Association. Hearings may be held on two days' notice and the judgment rendered is final.

The contract is to run until Jan. 31, 1950, but on March 15 of each year it may be renewed with respect to the improvement of the minimum terms and conditions of employment. If on April 15 of a re-opening no agreement can be reached, the controversy shall be submitted to arbitration.

The engaged artists give the company the exclusive right, without payment of compensation, to broadcast and televise any performance the company may do. If engaged on a weekly basis the artist will not take another engagement to sing or otherwise perform for compensation or gratuitously for himself, or any other company, without the written consent of the Chicago Opera Co. That company shall not engage any performer as to conditions in which it will grant an artist the right to perform away from the company.

There shall be no rebate, remission, discount, booking fee, commission or payment from an artist's compensation deducted by the company. This clause will be fully and faithfully observed by the company and by all and any of its agents, representatives and employees.

Estimates for Last Week
Key: C—Colony; B—Biltmore; R—Riviera; M—Metropolitan; F—Forsyth; O—Orpheum.

'At the Stroke of Night,' Biltmore. Taken off Broadway; got very little after debut performance; played one week.

'The Merry Widow,' 40th St. (25th week) (2-1,375; \$4.40). Cool and cloudy weather throughout last week was favorable break for theater; most shows picked up; gross here topped \$20,000.

'Gypsy Farm,' Hudson (14th week) (2-1,000; \$2.50). With producers entitled to share of picture rights; if sold, producers after this week entitled; \$2,000 indicated; 'Love for Love' here next week.

'Wellington's,' Winter Garden (16th week) (2-1,301; \$2.50). Picked up considerably and taking almost as much as anything on list; quoted at more than \$24,000.

'Keep On the Grass,' Broadway (16th week) (2-1,362; \$4.40). Opened last Thursday (13); difference of opinion among first-nighters, but went generally favorable; lively demand for tickets reported in agencies after premiere, with attendance big.

'Ladies in Retirement,' Miller (15th week) (2-940; \$2.50). Not getting the patronage of earlier weeks, but claimed to be making some money; around \$20,000.

'Lady in Waiting,' Bush (15th week) (2-1,300; \$2.50). Picked up the slack of the previous week and gross approximated \$24,000; gross operating profit at that level.

'Love's Old Sweet Song,' Plymouth (14th week) (2-1,000; \$2.50). Operating costs have been reduced; moderate money to date, with subscriptions still running; over \$15,000 claimed.

'Life With Father,' Empire (15th week) (2-1,000; \$2.50). While lot has been off, but here is the exception; standing present right along; still over \$12,000.

'Louisiana Purchase,' Imperial (14-1,600; \$4.40). Promoted by B. G. De Sylva; more by Irving Berlin; took by Marie Bryant; toured one thing out of town; opened Tuesday (18).

'Man Who Came to Dinner,' Music Box (23rd week) (2-1,612; \$2.50). Estimates slightly more than taking, but still away up in the money; some improvement last week with better than \$24,000 the count.

'Margin for Error,' Majestic (15th week) (2-1,115; \$2.50). Has made pretty stay and may pick up next month; rated around \$2,000, which are slow by an revised operating cost.

'Milk and Honey,' Longacre (15th week) (2-1,012; \$2.50). One of the major attractions of spring entry; better last week when gross reached \$2,000.

'Swanee Song,' St. James (11th week) (2-1,200; \$2.75). Opened Friday (24) and three previous; reported off after three performances, but, although Monday night was dark, reopened Tuesday (18).

'Savoy Song,' Manhattan (10th week) (2-1,010; \$2.50). Around \$1,000 last week; best gross drawn to date; reviews, radio plugging and two-for-one all coming; making some coin on operation.

'The Male Animal,' Cort (15th week) (2-1,044; \$2.50). Some improvement here as for most of the better shows; gross went over \$11,000 mark and summer holiday likely.

'There Shall Be No Night,' Alvin (14th week) (2-1,207; \$2.50). Still made straight plays in point of gross; somewhat off early last week, then back to capacity; quoted over \$21,000.

'Tobacco Road,' Fulton (16th week) (2-1,207; \$2.50). Around \$1,000, which is doubled of an even break, although it could little to operate.

'Higher and Higher,' Shubert (15th week) (2-1,275; \$2.50). Has ahead of previous pace early in the week then eased off; gross again quoted around \$21,000.

ADDED

'Fire and Fidelity,' Windsor (12th week) (2-1,011; \$2.50). Has been off for some time; around \$2,000, which is claimed to be slightly better than even break; one month to go.

'Romance and Jealousy,' 51st St. (14th week) (1,000; \$2.50). Monday nights out and third matinee added; big Saturday and strong audience response; again making operating profit with takings over \$15,000.

Headliners to Make Awards

Awards Committee of National Headliners' Club meets at the Waldorf-Astoria Hotel, Atlantic City, June 2-4, to determine winners of Club's 1948 awards for outstanding news-writing, newspaper, broadcast and radio news-casting work during 12 months ending June 1.

Arthur Rask, editor of *Editor & Publisher*, heads committee, which includes H. S. Granting of Associated Press; Miles Vaughn, United Press; Don Ross, Philly Ledger; Charles Gridley, president National Press Club, Washington; Jack Newman of PM, New York; daily; Norman Seegal, radio editor of Cleveland Press; Andrew Bernhardt, Brooklyn Eagle; Arthur Deffen, news-casting department, Will News office; W. P. Montague, Paramount News-cast, and Leonard Koss, Westchester Publisher, Yonkers.

Dead-end award winners will receive plaques at National Headliners' Frolic in A. C., June 28-29-30. About 200 craftsmen have attended Headliners' dining annually since 1922.

Winchell vs. Greene

Walter Winchell and Ward Greene, King Features syndicate execs, have been clashing over the latter's kill-out of occasional gaps which Jack Lait, N. Y. Mirror editor, offered for N. Y. publication, but to which Greene took exception for historical consumption. They've averaged about one kill a week during the past month and when Winchell, inquiring what's wrong with his copy, so that he might not repeat anything out-of-order, got an unsatisfactory reply he decided that a blowoff had to come.

He feels some of the reasons for the kills were radio. He cites a reference to a Broadway romance, and used the term "brautchen" as a synonym for brautheit. Greene allegedly thought it meant something more lascivious. Any crack about peace or whangs gets seriously shut out. Greene's blue-pencil, also has crack, Lindbergh, etc.

Condo Ends Competition

Forum and Century Magazine and Current History will end their long competition by merging. Combined, to go into effect with the July issue, it is to be known as Current History and Forum.

John T. Blackett and E. Tyrone Hill, co-editors of Current History, will retain the same posts for the combined publication, with Henry Goddard Leach, now editor of Forum and Century, to serve as an advisory editor. Other top staff members of both mags will be retained, including Robert Strauss-Nagle, Roger W. Straus, Jr., P. G. Shaw and Eleanor L. Van Allen.

Previous combine of Forum and Century occurred in 1936. Current History, at one time owned by the N. Y. Times, was founded at the start of the World War.

Doubleday Sells Educ. Dept.

Book house of Doubleday, Doran, which has previously unloaded all its mag properties, has further lightened the load it has been carrying with the sale of its educational department. Book branch has been acquired by a number of employees who have formed the Odyssey Press to carry on its activities.

Edgar Bellamy, who headed the Doubleday educational department, is now of Odyssey Press, and others in the firm are W. E. Thomas and Alden W. Graves. Odyssey has taken over the educational titles on the Doubleday list, and will add new ones.

John Chapman Feted

The N. Y. Daily News lunch farewell-honored John Chapman at Cuy Range, N. Y., last Friday, and the printers' union, as its own gesture to the departing far-Hollywood columnist. Likewise made him a member of the staff union. Chapman, having disposed of his Connecticut home by lease for two years, moves west June 8 to start as the News' correspondent in the film capital, succeeding Ed Sullivan.

Later, west for several years, returns to the Broadway beat.

Fetty Quits Barstow

Tom Petty steps out of the Win Hays office in Hollywood June 1 to become Court film and radio representative for the New York PM.

Geraldine Kapp, his assistant, will hold down the publicity job under temporary appointment.

Will Vote on Bargaining

National Labor Relations Board has ordered secret ballot election to be held within 30 days for employees of King Features and International News photo division, Board officials,

to determine collective bargaining reps. Voting will determine whether the employees want to be represented by the American Newspaper Guild or King's Employees Association, unaffiliated organization.

State Labor Relations Board has fixed June 4 as the date when commercial department employees of the News Home News will vote whether they want AML representation.

LITERATI OBITUARIES

Miss Schmitt, artist on a number of leading papers in New York and Philadelphia, died May 28 in the latter city. He retired from newspaper work in 1923 after serving 17 years on the Philadelphia Public Ledger.

Franklin Henry Chase, 71, who retired a year ago after nearly 30 years of newspaper work, died Friday (28) in Syracuse. Editor, drama critic and historian, he was for years managing editor of the Syracuse Journal. He authored a number of historical books.

Karl C. Albertson, 61, publisher of the West Philadelphia (Pa.) Times, died Friday (28) in that city. Formerly on the staff of the Philadelphia Evening Bulletin, he had been publisher of the West Philadelphia Times for the past decade.

Col. J. C. Wells, 71, editor and publisher of the Constitution (N.C.) Journal, died May 21 after being struck by an automobile.

Anna Nixon, 55, former women's page editor of the Cleveland Press, died May 21 of a heart attack at her home in East, O.

Frederick C. Fairbanks, 38, publisher of Indianapolis News, died Thursday (27) in San Diego, Cal. He was a son of the late Charles W. Fairbanks, ex of the U. S. under Theodore Roosevelt.

George Hinkley, 31, editor and publisher of the old Philadelphia Sunday Dispatch, died May 21 in that city. He became part owner of the paper after the death of his father, Elias J. Hinkley, one of its founders.

CHATTER

Marian Spitzer has sold two pieces to the Saturday.

Dr. Oscar Gruen named editor of The American Hebrew.

John O'Hara has changed publishers, going to the new book house of Doubt, Shoss & Pearce.

R. A. MacKinnon has quit the Condo Hart mag to join The American Home in an exec capacity.

National League of American Pen Women installed its new pres, Catherine Flynn, on Monday (27).

Bellamy Partridge in N. Y. from the Coast to grab an honorary degree at Rutgers College, and then wanted back again.

Mrs. Martha A. A. Beer, mother of Thomas Beer, the novelist, who died last month, is collecting data for a bio of her son.

Eleventh annual University of Colorado writers' conference at Boulder, Col., will take place from July 22 through Aug. 2.

Stanley Lewis doing his bit to help the Allies by foregoing the collection of his English advance royalties for his "Betty Meriday."

Second attempt at local weekly since the Hatter Ben-News went out of business was made in Omaha last week with The Public Press, Inc.

Manuel Knauff, author of "Coronet," has finished a new novel based on the life of Paganini, the violinist. It'll be published by Harpers in the fall.

New York Post Reporter, Inc., chartered to conduct printing-publishing business in New York. Capital stock is \$25,000, \$100 per share.

Clarence Huntington Kelland back in New York from his Phoenix, Ariz., home with new serial bought by the NEPost. It's labeled "House of Cards" and has a bridge-playing background.

Dalton Trumbo, the film screenwriter, who came to attention as a novelist with his "Johnny Get the Gun," has penned another long work of fiction, "The General Came to Stay," and has placed it with Lippincott.

Fate for Oscar Ameringer, editor of The American Guardian, to have legs held yesterday (Tuesday) in New York, to mark the publication of his autobiography, was cancelled because he was unexpectedly called away.

Olaf D. Tollerich, who carried off this year's Pulitzer award for the best work by a foreign correspondent, is doing a book on the war for Bernal & Hiltz. Tollerich is now in Sweden, having been asked to leave Germany.

Second and last of the two novels which Thomas Wolfe completed shortly before his death has been edited and sent to the printer by Harper's. Volume will appear in

the fall under the prophetic title of "You Can't Go Home Again."

Harry Hansen, book critic for the N. Y. World-Telegram, has succeeded John Chamberlain as the selection committee for the annual award of the Society of Literary Group gives a medal each year to the young U. S. scribbler showing unusual talent.

Paris Quill

Continued from page 2

criticism is greeted off the stands the moment it is delivered, for people want to see and hear in print what they have just heard the speaker utter.

All this, and more, has had a particularly disastrous effect on the capital's nightlife. Over in the luxury of relaxing completely up to midnight in bistros, jazz houses, casinos and eating and drinking places, with everything now tightly shuttered at 11 p.m. Over in the period when officials turned the other way while casinos, theatres and music-halls filled every available seat over and above the legally allotted limit. Over, for the moment at least, is racing in the fashionable setting of the Bois, among other sporting features.

Prelude of What May Come

All this is a prelude of what may come. One single bomb dropped on Paris may wipe out the capital's night life altogether. Those who lived here during the last war recall that Georges Clemenceau, the famed "Tiger," ordered all places of entertainment shut when a shell from the "Big Bertha" crashed through one of the capital's churches and that he only stayed his decision at the last moment when the late Oscar Wilde, then president of the Theatre Owners' Association, pointedly asked the premier if he would have ordered all the churches closed if the bomb had fallen on a theatre. Clemenceau saw the point and lifted the ban.

This time, however, the "Big Bertha" has given way to destructive bombs weighing as much as one ton and authorities may have no choice but to discourage large gatherings of people. Already they have threatened to shut all dance-halls if the situation grows worse. Ten, 11 p.m. closing may give way to 10 p.m., and after that who knows.

Many have anticipated the authorities. Over at the Madeleine, where Sacha Guitry is holding forth with his "Flowermen," the performances have been cut to three weekend matinees. At the Matignon, where Edward Childs Carpenter's "Bachelor Father" is being heard in the strains of Oscar Straus' Viennese music ("Max Amore"), performances are given over the weekend only and the theatre is shuttered the other days. Most of the other houses have moved back their opening time to 7 and 7:30 p.m., as so to be closed by 9:30. People who continue to go out prefer to be back in the shelter of their homes early in the event of an air raid.

The ABC and Optimistes are playing in small crowds while the other musicals, Paganini, which only opened two weeks ago, is shut. Over at the Casino de Paris, where Maurice Chevalier has been drawing the largest crowds of any house in the capital, receipts have fallen also.

The case is to be said for the filmiers, with crowds of 50 and 100 the rule. Many circuits remain open for patriotic reasons only, since it is unlikely that they clear expenses during some of these performances.

Cue for Tea Only

Cue for the most fashionable gathering spot in town, is only open for tea and heavy liqueurs, the owner, who is unaffiliated but on leave, says that he may shut shortly if things do not change. The Ambassadeurs, which he was to have opened next week, is no longer even mentioned. Harry Pilzer, American partner of Gaby Deslys, has been working months getting his new ballet, "L'Alphonse," into shape, but now it has been turned off into limbo.

A trip to Montmartre takes us to another of the former draw spots in town, the Scherazade, the most cosmopolitan lounge in town. It has been doing his since 1923 under the same Russian management, which is quite a record in longevity in the war of Paris night clubs. The crowds are smaller and graver and Miss Vodka, 17-year-old husky who pours coffee and vodka, hasn't much to do.

All this is true of the Lido, where the famous Bal Tabarin girls court nightly; the Bored Boy in Tux, next door to the George V hotel, which has been taken over by one of the ministers; amphitheatre Agnes Capri's, O'Dell's night club and the Pavillon d'Elvira.

British Actors In U. S.

Continued from page 1

Coward, who has been in the U. S. for the past three weeks, declared he would return to active duty in England. He will fly from New York within a week. Other players declared they were registered for military service but have been repeatedly discouraged from returning home.

Seymour Hicks Stays

London, May 24.

Sir Seymour Hicks, in a letter to the London press today (Friday) was highly sarcastic and critical of British actors in America who have failed to return to England for active duty but are 'gallantly facing the footlights.'

He asked what the position of British subjects of military age who 'voluntarily' are staying away from England for the duration would be when Britain wins the war, adding that it should be 'explained quite plainly when they arrive in England on Armistice Day whether they are to be fined, imprisoned, or welcomed with open arms as charming prodigal sons.'

The British producer-players declared he was mainly concerned with the future of those 'of my own profession who at present are making a new film in Hollywood called 'Come With the Wind'.

Hollywood's Brits Challenge Hicks' Stance

Hollywood, May 23.

That Britain in pictures decline to be quoted in regard to the remarks of Sir Seymour Hicks, but Alfred Hitchcock, directing Walter Wanger's "Foreign Correspondent," echoed general sentiment when he said, "Anyone hurling such silly charges as Hicks is not worthy of reply."

Louis Hayward said, "I'm ready to hurry back to England and war service whenever my country wants me. Although my first priority for American citizenship will be due next month, I will not make application until convinced England has no need for my services in the present crisis." John Lodge declared: "I was told to come to America and work while awaiting my call to the colors. I am in constant touch with the British consul and will return to England as soon as they can place me in service."

Charles Laughton, guest in the last war, refused any comment, as did Herbert Marshall, who also suffered major injuries in that conflict. Wilfrid Lawson, New stat last week and Clipped in London, where he's scheduled to join the Royal Air Force immediately upon his arrival, is a reserve captain in the air corps. Ray Milland, who is here, has his final papers.

Alan Mowbray, president of the British United Service Clubs and past of British War Relief Association of Southern California, said that 80% of Brits in the film colony have their shoulders to the wheel. "They are definitely not shacking and to the man this 80% has signified its willingness to volunteer for service," he said. "However, I doubt if more than half a dozen in the British colony here fall with the conscript planes now on call."

Mowbray said the Relief Association sent over \$25,000 to the British Red Cross for ambulances and later assigned five shipments of surgical supplies and knitted goods abroad.

L. A. British Consul's Attitude

British consul in Los Angeles, Eric Martin Church, declared about the remarks of Sir Seymour Hicks last week, that "at the outbreak of the war Herbert Wilcox, representing British actors, went to Washington to confer with Ambassador Lord Latham regarding the status of nationals on war service."

Latham assured Wilcox, Church said, that British actors were doing and would be doing a far better job for their country by continuing their professional work and representing British character on the screen than by going into combat units.

Church said the Ambassador added that "if the situation changes, Britain in the production will be informed" and said he was "sure a suitable response would be made." The consul said many have offered their services directly and indirectly and all are recuperating fully in British war relief with some showing any disposition to evade their full duty.

Consul further declared that the only Brits in foreign and required for active combat duty are

officers on the reserve list. Such reserve officers, he said, left the England months ago on call from the British war office.

Metz in Dark on Actor

Metz officials in New York yesterday (Tuesday) declared they had failed up to Monday evening in efforts to verify press reports from London that Robert Montgomery had joined an ambulance corps. They said they had no doubt of the reliability of the story, but were endeavoring to get in touch with Montgomery.

American player has been in England about three months and just completed "Woman's War" there. He had no further commitments scheduled, according to Metz, but was under contract which still has some time to run. There was no thought of further English production, it was declared, and the studio was awaiting Montgomery's return before making any assignments in Hollywood.

Metz indicated it would take no action on Montgomery's technical contract-breaking in view of the situation.

Wilcox-Nagle Revises Plans; Remain in U.S. To Produce via RKO

Plan of RKO and Herbert Wilcox, whereby the latter would return with Anne Nagle to England to resume production there, has been abandoned because of war conditions. Wilcox and Nagle were to return following completion of their current 14-city p.a. tour with "Gone With the Wind," which Wilcox produced for RKO in Hollywood.

It is planned to return to the Coast at the end of the tour, which will be in about three weeks, and begin production at once on a follow-up along the line of "Gone."

RKO's product announcement Monday (27) listed On Whose Nerve Nagle came to do "The He, Nasser" and "Sunny." Broadway musical of the "The, for 1948-49. Producers say, however, that he has no properties on hand at the moment, but is negotiating for one.

Wilcox, in New York now for the RKO convention and a p.a. of Miss Nagle at the "Gone" opening at the Music Hall last week, has been perlying with RKO president George J. Schenck. Result has been a decision, to return to England as soon as feasible to use up part of RKO's money sent there. If he stays in this country, however, he declared, there will be a revision of the corporate setup under which he is operating. His last two pictures, "Gone With the Wind" and "Gone," were made under the banner of Imperia Productions, his English company in which RKO bought a half interest some time ago.

Wilcox said there is no chance of his leaving RKO any continuing on anything but an independent production basis. Six months earlier" permits held by Wilcox and Miss Nagle have been renewed by immigration authorities without difficulty, permitting an indefinite stay here.

Bills Next Week

Continued from page 11

David Bradley Dorothy L. Sayers In Courtland Barthelme Day	David Bradley Dorothy L. Sayers In Courtland Barthelme Day
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Madame Tenebris Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones	Madame Tenebris Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones Mrs. P. Jones
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Broadway

Harry Park, away for more than three years, is from Hollywood. Herman Shuman, planned to finance for some fishing, back already. Arthur Mayses shortly moved up to their Connecticut farm for the summer.

Mark Miller is town handling Tony Martin and Bob Hope's personal. Joe Flattol, Warner branch manager in Toronto, returned to show the leader.

Louis Lurie of Ben Franklin, in New York for a visit, has gone back to the Coast.

If the weather keeps up the Fair commissioners also threaten to resign to June 1st.

Edgar Selwyn planned to from Hollywood on personal matters, departing today (Wed.).

Gene MacDonald visiting N. Y. following the completion of "Dancing on a Dime" for Paramount.

Mrs. A. J. (Carrie) Balaban completed her long of the showman-Balaban of Balaban & Katz.

Walter Jagmann, who conceived settings for "Yuletide" last season, has turned to industrial designing.

Beth Chertoff, Dore and Helen Jerome are interested in dramatizing Anthony Turner's new novel, "Cathedral Highway."

There was plenty of backstage stuff about "Keep Off the Grass" as how to realize that Shubert's review before the Broadway press.

The Shubert club set up in City Island this afternoon for the christening of Ethel Merman's new yacht, purchased from George Trumbull.

Lola Bauer, RKO eastern story editor, due back from Coast May confers last week, delayed her return. How expected the end of this week.

Tim Cullane resigned as press agent for Fordham University in New York, following Tim Mearns, who joined him.

Bob Dick, RKO producer, back to the Coast this weekend after handling with Sam and Bella Speranza on treatment and screen play for "Sugar Cane."

Jack Ellis, RKO film salesman, who writes much on the side and gets "em published, planned some special numbers for the RKO sales convention in paper-cuppers.

Karl Carroll planned to from Hollywood Monday on a hunt for talent for use in his new rule show there, due in about two weeks. He will start back Friday (Fri.).

Lili Stankin in New York in hope of finding possible legal vehicle, also as a summer stock deal. Hubert Errol Flynn failing in Florida before South American.

Jimmy Durante's financial troubles, deleted from "Keep Off the Grass" after the Boston premiere, going back into review. Other cuts made from the N. Y. premiere version.

Buddy Heath, n.c. at the "Savannah Club" cracked, "If Jimmy Dwyer don't get you, Billy Rose (Diamond Headlines) will." Yvette Dwyer follows Ella Shubin at Dwyer's tonight (Fri.).

Dave Chasen dashed in from Hollywood Sunday (Fri.) and dashed back again Tuesday. Huddled with Harold (New Yorker) Ross on business; later in his part in the Coast story.

Jules Levey has just received a \$88 check from Santa Anita for a winning roulette ticket he tore up one day at the track. Put in a claim and records showed there was one such win ticket as his that hadn't been cashed.

Warner Bros. putting on an amateur musical show tonight (Wed.) at the Millmore for employees and guests, called "Fun and Warner," produced by Edward Greenberg, and Marvin Millerberg, cost mounting \$5, all with WB.

Warner Bros. studio crew currently in N. Y. on street corner for "Competition." Eastern stay for the shooting by Byron Haskin, director. Jack Kogan, cameraman, and Joe Barry, location manager, will be determined by the weather.

Sam Goldwyn booked the N. Y. film critics at his Waldorf Towers apartment Monday (Fri.) with the invitation, "I have no story and no statement but I want to see you before I leave."

"Tomb Raider" back in Africa, written by Frankie Murnigh and Bill Waller, New York p.a., and revised over Mutual and CBS and few weeks, has been accepted as official radio show of University of Arizona, of which Waller is an alumnus.

Pittsburgh

By Hal Cohen

Tom Wilson going to Calumet, Mich., this summer to work on a new play.

Agent Jack Dwyer suffered broken nose and three cracked ribs in car crash.

Milton Engel is Shubert's hospital with broken leg he suffered in musical game.

Charles Kwan, former bookie for Alpine circuit, visiting his sister in Venezuela.

It's a boy their second for the

John Belle, Peg's the Post-Gazette columnist.

Tracy Higby and his wife off in their new car for Florida and a six-week vacation.

WB bookie Harry Feinstein has shaved 25 pounds in two months via diet-and-exercise route.

Gene Kelly flew in from New York to attend annual dance rental of his studio in Nimitz Theatre.

Phil Doyle selected his agent for JAYNE Lenz 2 and signed contract to Louisville convention.

Henry R. Vincent directing sample review this summer at Duck Theatre, Ft. Chatsworth, N. Y.

Drama League contract for Little Theatre groups currently reading up four-day trips at Playhouse.

Casino called it quits for summer Saturday night (Fri.) after most profitable holiday season in years.

Webster Hall hotel going in again this summer for Saturday side dancing to outdoor Spanish Gardens.

Lang Thompson's new book, "Falling in Love With a Dream," taken for publication by Irving Berlin.

George Tyson and his secret bride of several months, Ruth Miller, honeymooned lately in Virginia Beach.

Ed (RED) Lohdy's daughter, Lucille Ruth, married to Gilbert Proff, Los Angeles wine salesman, Sunday (Fri.).

Doris Dugan stayed at Shubert with Glen Gray's band Thursday (Fri.) and opened at Yacht Club following night.

No War In Pix

Continued from page 1

of warhead trips one has grown to suspect when Hollywood slips into "business," then there will be no place for the long-suffering public to turn for sustenance from war. God knows it's had enough—why attempt to overcome it?

Now, if you, is the time for the screen to fulfill its obligation as an entertainment industry to the American public which has long supported it, by giving people pictures that will provide relaxation and happiness from the world's ills, letting those mediums established for the purpose feed them propaganda and fright-films.

Right now, in the midst of a great national mental depression is the greatest opportunity the screen has ever had to carry out its entertainment.

Sam Lender
Advertising Manager
Fox Midway Theatre

Quent Reynolds

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shouldn't, and your brother is apt to be lost.

Please Pop, son, will you, and tell him everything is well here. It is, as a matter of fact. Food everywhere is plenty and, not expensive. There is no profiteering in Paris, and that is something. As part of our uniforms we must have a steel helmet, gas mask, etc. This steel helmet is amazing. It is pressed steel, one piece, and I bet it would suit the Bethlehem Steel Co. to make.

The price here is 50 francs—a forti-cent. These people are pretty wonderful. I came here just to do stories, and if things were tough here—well, my stories would be so much the better. And what happens?

In two weeks I'm a 100% supporter of France. All the newspaper talk are that way.

There isn't a neutral American in Paris. Now the back could mean we're like being indifferent when you see a neighbor's house on fire.

I wish I was in N.Y. today. I suppose there's a double-header at the Polo Grounds. My little Paris Herald Tribune gives me football scores every day—but just the scores and no standing.

I have a wonderful room here at the Ritz, my permanent address by the way. It's on the top floor overlooking the Place Vendôme and it resembles three bedrooms. That gives me a great view when things get interesting. Radio-Paris is here, my old pal from '24-25 and we spend a lot of time together. But not very festive times.

Went to London, and then it all happened, so I scurried back here before the service dropped between London and here. Now it is stopped. The story is here from now on all right. I mean here!

Where are those pretty French girls? Not at the Ritz or Crillon but in fact, no one is but poor Evelyn Gwynne.

Remember me to the rest.

Quent.

(Quent Reynolds is believed to Paris for war feature film by Columbia, of which he's a regular staff member. He has also done several broadcasts from the French capital—Ed.)

London

Arthur Hammond, artist and theatrical designer, left \$25,000.

Ronald Bruce involved in Paris auto accident and "recovering."

Eric Mauchwitz writing new musical with a Chapin music background.

Jack Roskies (The Two Brothers) finally got permit to bring his wife from Budapest.

Bill O'Brien has sold his interest in the production and agency for O'Brien, Linnert & Dunfee.

Devenant Jean, ex-band leader, tenor-actor, brother of Isabel Jean, only policeman wearing a moustache.

After "King Lear," John Gielgud will play in "The Tempest" at the Old Vic, with Marion Goring producing.

Stare out of 25 players in Bernard Shaw-Galton Pinter picture, "Major Barbara," on location in Devonshire.

Harriet Holman (Eveline) filmed signature Barbara Mullen to play her original part in film version of "Anthem."

Boris Gelfand importing several English articles for his next picture, which is scheduled to start in France first week in June.

John Dancy no longer managing the Royal, Mickle Arch, for John Maxwell. Replaced by E. F. London, former circuit manager for Associated British.

Latest news comes, Bert, Bert and Bert, are Bert Hughes and his two sons. Bert Hughes played America for several months with Lindbergh, bicycle set.

Jack Watley still looking to put musical version of the American idyll, "Cradle Snatchers." Has in mind Erna Dore, Yvonne Arnold and Jeanne de Castille.

Alan Stevenson, formerly manager of Lyric Theatre, and lately in same job for Jack Buchanan, appointed manager of Prince of Wales Theatre by Tim Arnold and Harry Foster. He will also be in charge of Sir's publicity.

Paris

By Joseph M. Savatka

Francis Harley, 20th-Fox London chief, is town.

George Bony to produce part titled "Fifth Column."

La Merveille, Belgian paper, now being printed in Paris.

Mila Riva of the Casino de Paris now at the Metropolitan.

"School for Scoundrels" reached 10th performance at the Metropolitan.

Crosser Tine Hunt, demolished a few months ago, back in business at Ritz.

French novelist Jean Brizard Georges Mejer received the Prix de Goncourt.

Marlene Dietrich spoke and sang at the weekly American Club lunch May 18.

Rene's "Hedge Gables" given at Comedie Francaise for Norwegian aid fund.

Virgil Pickley, European business manager for UP, and correspondent Ben Ames in from the States.

Victor Francen, Jacqueline Francen and Jean Tranchesi back from Brussels, where they experienced air bombings.

Henri Varen announced he would give "Mousseline au Chapeau" at the Mogador and "Phi Phi" at the Alcazar in September.

Walt Scholert out of the way and Chapin on the lot, plans are being made to produce the life of Berlin, played by Louis Cost.

Hilda Hym, of Royal Theatre of Brussels, arrived in Paris by car and immediately joined the Service Automobile Feminine Francophone.

With Yvonne Rumber and the Seals brothers demolished over former's wish to have Georges Flamant for lead role in Jean Renoir-directed "La Tosca," lead roles to be taken by Pierre Blanchard and Michele Alfa, both heading up in Paris last show. "We Are Not Married."

And that is required is a vote from French government to permit trips to go to Italy.

Minneapolis

By Lee Ross

Charles Warner, resigned as Minneapolis branch manager.

Shelton-in-law of the Chapin, Columbia branch manager, passed away.

Theresa Hays (et Minnesota Amos Co. vice, resident in home by 1935).

Bill Crystal, former Grand National branch manager, joined United Artists sales staff.

Paramount here already has sold approximately one-fourth of its second ten-week program.

At Frontier, there are conditions for manufacturing in surplus, etc. operating from here (1935).

University of Minnesota Theatre, "The Circle" with Kathryn Gill of Broadway, leading cast.

Henry Lamb, former Twin City newspaperman, appointed general manager of St. Paul winter carnival.

Ben Blumsky and Johnny Fisher, branch manager and head booker, off for Paramount sales' convention in Los Angeles.

Bob Alston, Paramount northern Minnesota and western Wisconsin

salesman, won \$100 prize for selling most "Buckboarder" caskets in district.

W. A. Staffer given six months leave of absence as Northwest Allied president and will remain on his farm for last three months on director's orders.

Atlantic City

Ed Morrison rate spread for season Friday (Fri.).

Jackie Whelan will sing at Club Maudslayi this year.

Evans' (Christine) gave concert Saturday night (Fri.) at Madison Hall.

James Hall, manager of Capital Theatre (Wickland-Lewis) choir, 25 at home.

Norman Reed, WBAR manager, addressed Kiwanis last week on "The Stage."

The Virginians winter entertained 800 Pennsylvanians at Traymore Wednesday (Fri.).

Jack Moore with played opening at Seaside hotel's Delmar Club Saturday night (Fri.).

Prof. A. L. Seward, boardwalk astronomer, will open English kitchen restaurant here soon.

Drusilla, former dancer, is sister of Tom Taggart, A. C.'s new mayor. Stage he's brother, she is official business.

Ada Taylor Rickett, press agent of the Claridge, beachfront, visited in fifth term as president of A. C. Pennsylvanians Club.

Tom Endicott and wife, operators of Duke Beach shanty on boardwalk, returned from six months tour of Florida, California, Mexico.

Johnny Hump, who got his start here 18 years ago, returning with wife July 1 to play Round-the-World Room of President hotel.

Westport, Conn.

By Humphrey Deane

Big and little Cubans Wright here. Dina the John Loughe.

Elena Parker at her Eastern place, Florence Eldridge working here.

Theresa Helms back down vacation motor trip.

Al Shon back in Westport with closing "Two for the Show."

Virginia Dunning off for the Lake-wood Theatre, Newburgh, N. Y.

The Helen Kates entertaining for their daughter, Mrs. Lily Post.

Ethel Morrison, of Lady in Waiting, addressed Norwalk Kiwanis Club.

Cobbie Mill having big opening tonight last formally lighting Dedication Day.

Lily Post at Norwalk for one month before summer tour with husband Andre Kestelmann.

South Norwalk getting its first circus in several years. Russell Bros. promised in for a date in June.

Each Circle of New York announced three concerts at William M. Sullivan's private theatre, Ridgefield.

B'way Okay

Continued from page 1

passed last year when grocer died so deeply that shows were forced to suspend abruptly. Show business did not anticipate a heavy influx of visitors this time, with the result that the pickup at the boxoffice was a pleasant surprise. Showmen figure that attractions surviving the first weeks of the Fair should have a chance to hold over into summer.

Season which washed up so far as production is considered best week when the delayed "Walk With Minnie" opens at the Barrymore and the Players Club revives "Love For Love" for a limited date at the Hudson.

Two summer musicals are "Keep Off the Grass," which opened at the Broadway last week, and "Tomb Raider," which debuted at the Imperial yesterday (Tuesday).

A sudden closing was "At the Stroke of Eight" "To What End" after one week at the Belasco.

Spy Threat

Continued from page 1

have been given Turkish nationality by Ataturk, who grandfathered jazz in this country.

Some practically all the artists are furnished with foreign element of the village now applied, managers are hard put to recognize 1944-45 season. Turkish gals to recently deposed are still back ward along going into the profession. Performers from France, England and America, which are about the only talent-producing countries remaining here from the purge, demand more cash than is available here. What will happen remains to be seen, but it is expected that the will take it on the job.

Turkish gals still outside it anyone the gate to be seen in one show—no business are particularly essential to the life of an off-track act.

Hollywood

Jack Whitney divorced in Reno. Ricardo Cortez sued for divorce.

Thomas Bradley sued for divorce. James Stewart joined the service.

Elsie Shepherd divorced Tracy Hunt.

Marjorie Roper's marriage was annulled.

Marjorie Henson laid up with a broken leg.

Ben Holmes recovering after spinal illness.

Fred Dewmeyer opened his own talent agency.

Lester and Irving Salkow merged their agencies.

Paul Leroy opening branch office in Salt Lake City.

Don Mainwaring joined Walter Winchell's publicity staff.

Louise Stanley filed suit for divorce against Jack Ransel.

Allan Jones and Irene Harvey crossing in Mexican waters.

Bernita Marshall filed suit for divorce against Richard Gayer.

J. J. Malinin is from Manhattan for business with Edward Small.

Ben Blue settled his \$2,500 attorney case out of court and avoided courtroom proceedings.

Carl B. de Mille lending his historical film collection to the San Francisco Fair, insured at \$250,000.

St. Louis

By Sam E. Hunt

Minners' final production of the season, "Tomb Raider," will begin June 1 at the Westbury Club.

Carl Ravitz and Lou Holtz winding up extended engagement at Chase Club, west end city.

Herbert Westport, Polish musician, will be grand conductor of symphony season on quadrangle at West Washington University starting June 1.

Johnnie "Hot" Davis with opened season at Meadowbrook Country Club with two-night stand, Wednesday (Fri.). Buddy Rogers followed for two weeks.

First drive-in theatre in St. Louis area, owned by Midwest Drive-In Theatres, Inc., opened at Mac-theatre, Mo.; \$2,000 enterprise accommodates 200 cars.

Alvin Roper's Wild West Show, sponsored by the Elks Club of Missouri for the benefit of the organization's charity fund, opened engagement at Bryant Beach in St. Louis recently.

Louis Puchmann, John Ryan, Robert Harmon and Stanley Schickel will clash with Gordon Carter, director of Chris Theatre, strawbatter, in producing plays during forthcoming season.

Vivian Price, Norma Terris, Gladys Bentley and Robert Keith will be on a nationwide CBS tour, organized by KMOX, Friday (Fri.) at annual dinner of Missouri Theatre producers' dinner.

Fund of \$10,000 has been underwritten by 500 individuals and firms to start National Theatre Association's 41 drama season in Forest Park, starting June 1. This exceeds by \$1,000 last year's subscription.

Dwight Willard Holland of the Town Square theatre, strawbatter, opening shop a west end building, designing new stage, etc., for season that starts June 1. He worked with the Foxboro (Cal.) Playhouse last winter.

Civic Theatre, strawbatter, has collected "Autumn Crocus" as 8th of sixth season for forthcoming season. Other plays to be shown are "See My Lawyer," "The Church Mouse," "Maggie, My Error" and "Twentieth Century."

E. Lansing Ray, Jr., secretary of the Civic-Democrat, elected pres. of Playhouse, Inc. Other officers chosen are v.p.s John King, Jr., Dr. Richard M. Kline and Max Kewigeberry; treasurer, Richard Baldwin, and new members of Board of Directors, Ethan A. H. Shupier, Edward T. Gindus and Mrs. W. L. Jackson.

Chicago

Sam Kelly back from Coast gives show and mounting long summer show.

Bill Dwyer elected president of the Elks Club (Fri.) Dining Club for the coming year.

Bob Hope planned to White Sulphur Springs for \$1,000 show date at Detroit's association.

Will J. Harris named director of the Jackson (Mich.) summer festival, which will run from Aug. 15 to 18.

Ray Bruster to East St. Louis to launch progress of recreation area which he will operate with Johnny Perkins.

Harry Koy's Caribbea cruise cut short when the Netherlands steamship he was on turned around in hurricane and returned back to New York.

Max Turner and Kate Platt located in Paris and Springfield for a break-in for "First Night" personal tour, agreed by Sam Elkins for Columbia Artists.

Sophie Tucker referred a whole new show match among Bob Hope, Milton Berle and Joe E. Lewis at a birthday party of Mrs. Sara Berle at the Chase Park.

OBITUARIES

WALTER CONNOLLY

Walter Connolly, 52, legit actor and one of the most active character leads in films during the past eight years, died from apoplexy yesterday (Tues.) morning at his home in Beverly Hills. He returned recently from attending the Kentucky Derby and on advice of his physician was resting in preparation for his next picture, 'Road Show,' for Hal Roach. His last important film role was in the title part of 'Great Victor Herbert' for Paramount.

Born in Cincinnati he was graduated from Xavier College there, and completed his education at the University of Dublin. Returning to his home city, he entered the banking business, but an undergraduate urge for the theatre proved too strong and in 1909 he made his first professional appearance in 'Classmates.' He first played in New York in 1910 in 'The Shepherd King' and thereafter for 20 years was in many Broadway productions.

He played in Shakespearean repertory with Sothern and Marlowe and in support of Madge Kennedy, Pauline Lord and other stars.

He went to Hollywood in 1932 under contract to Columbia, and played in a series of Frank Capra productions, including 'It Happened One Night,' 'Bitter Tea of General Yen,' 'Lady for a Day,' 'Broadway Bill' and 'Washington-Merry-Go-Round.' Other films in which he was featured are 'So Red the Rose,' 'Good Earth,' 'First Lady,' 'Nothing Sacred,' 'Three High Gray Walls' and 'Fifth Avenue Girl.'

Widow (Nedda Harrington) and one daughter survive.

GLADYS B. UNGER

Gladys B. Unger, 55, playwright and film writer, died May 25 at the Medical Arts Center, N. Y. In failing health for more than a year, Miss Unger became a patient at the hospital a week ago.

A native of San Francisco, in her youth she studied art in Paris and received honorable mention for her work. Turning to the drama, she wrote many plays, the bulk of which were produced in London. Her first effort was a one-act, 'Edmund Kean,' presented by Seymour Hicks at the Vaudeville, London, in 1902. Her succeeding scripts included 'Starlight,' 'Ladies of Creation,' 'Two Girls Wanted,' 'The Knave of Hearts' and 'Betty.' Latter was written in collaboration with Frederick Lonsdale.

Many of her plays were written jointly. Among her collaborators were Leyla Georgie, Cyrus Wood, Kai Ardashir, her divorced husband; and Jesse Lasky, with whom she scripted 'Private Beach.' She also tapped the foreign drama, making numerous adaptations from the French, German and Italian.

Her last play, written in collaboration with Marcella Burke, which received a summer tryout last year under the title of 'You Can't Eat Goldfish,' toured on the road this winter as 'Tonight We Dance.' Ruth Chatterton had the lead. It was not brought to Broadway. Other of her plays produced on Broadway in the past decade include 'Experience Unnecessary,' 'Ladies of Creation' and '325 An Hour.'

Miss Unger's film chores were on all major lots and included such films as 'Daughter of Shanghai,' 'Music Is Magic,' 'The Mystery of Edwin Drood' and 'Rendezvous At Midnight.'

WILLIAM M. CONSELMAN

William M. Conselman, 43, actor, newspaperman and film writer, died in his sleep, May 25, at his home in Eagle Rock, Cal. He had been ill for several months.

An actor at the age of six, Conselman remained on the stage until his 15th year, when he moved into an office job with Klaw & Erlanger in New York. His theatrical career was interrupted by a three-year hitch in the navy, after which he became a reporter, working in Brooklyn, Jersey City, New York and Chicago before moving to Los Angeles, where he became widely known as a writer on the Times.

Conselman entered the picture business as a publicity man for Metro in 1925 and developed into a title writer. Later, he originated his comic strip, 'Ella Cinders,' in which Colleen Moore starred for First National. Moving to Fox as a gag writer, he became a supervisor on several Will Rogers and Shirley Temple pictures, meanwhile continuing to write. He scripted

'Whoopie,' the first Eddie Cantor talker at United Artists, and subsequently worked as a writer at practically all the major studios.

His last studio connection was with David Butler at RKO, where he was slated to report last week to develop the script for the racing picture, 'Blood Will Tell.' Surviving are his widow, a son, William, Jr., who is a writer at 20th-Fox, and a daughter.

GEORGE O'NEIL

George O'Neil, 42, screen writer and playwright, died suddenly in Hollywood May 24 of a cerebral hemorrhage. At the time of his death he was under contract to script 'Back Street' for Universal.

Born in St. Louis, he was educated at Washington University there. He served in the Navy during the World War and devoted his interest to writing poetry, plays and short stories after being discharged. The Theatre Guild bought his first full-length play, 'Something to Live For,' but failed to produce it. The Guild, however, subsequently sponsored O'Neil's 'American Dream' in 1933. He also collaborated with Dan Totheroh on 'Mother Lode' presented at the Cort in 1934.

Screen plays on which he collaborated were 'Magnificent Obsession,' 'Only Yesterday,' 'Beloved,' 'Yellow Dust' and 'High, Wide and Handsome.'

NICK ALLERMAND

Nick Allermand, 57, manager of the Palomar theatre (Sterling), Seattle, and vaude manager for the John Danz string, also Seattle, died almost instantaneously May 19 in that city when run over by a truck that slipped its wheel blocks. He had been helping load some scenery from the vehicle, which was to be taken to the Palomar for the new show opening the following day.

Allermand, a native of Denmark, entered show biz in Rexburg, Idaho, where he owned a theatre, in 1914. Later, he operated houses in Price and Provo, Utah, and 14 years ago went to Seattle, joining the John Danz staff as vaude manager and booker. He had been manager of the State, also Seattle, and Palomar at various times. Surviving are his widow and daughter.

CHARLES H. O'DONNELL

Charles H. O'Donnell, 56, formerly with Julia Nash in vaudeville, and who later appeared in legit and radio sketches, died May 22 after a long illness at his home in New York City.

Born in Northampton, Mass., he played with Miss Nash in several comedy and dramatic playlets. Among their better-known bits was 'Static,' a comedy which revolved around the radio craze some 20 years ago. About 10 years later, O'Donnell and Miss Nash, who did the Jarr Family in vaude, went on WOR, New York, in a radio version of their domestic sketch, sponsored by Forhan's toothpaste. The Jarr Family series was made popular as a newspaper syndicate feature by Roy L. McCandell and formed the background for numerous motion picture comedies.

A former v.p. of the NVA, he is survived by a brother, Edward J. O'Donnell. Funeral services held Saturday (25) from St. Malachy's Church, N. Y.

GEORGE LAMAZE

George Lamaze, 56, executive vice-president of the Warwick hotel, Philadelphia, and brother of Marcel Lamaze, who formerly operated Marcel's Cafe and the Cafe Lamaze in Los Angeles, died Sunday (26) in Philadelphia. He was confined to his bed for the past month because of heart trouble.

With the Warwick for about five years, Lamaze had previously served with several New York hotels in an executive capacity and for a time operated the Patio La Maze in Palm Beach.

His brother and widow survive.

JOSEPH DE GRASSE

Joseph De Grasse, 67, vet director of silent films, died suddenly in Hollywood, May 24. He had been in semi retirement, occasionally directing plays at the University of California at Los Angeles.

He started his stage career in stock, later turning to Shakespearean repertoire, and went to Hollywood in 1910, where he acted in outdoor and action films. Shortly after, he became a director, handling the pictures of such stars as Charles Ray, Lon Chaney, Bessie Love, Milton

Sills, Jack Muthall, William Farnum and others.

De Grasse was one of the organizers of Motion Picture Directors Assn. and a director of Motion Picture Relief Fund. He leaves widow and son.

EDWARD DONNELLY

Edward Donnelly, 69, retired actor who had appeared in such Broadway plays as 'One of the Family,' 'Cock o' the Roost' and 'Young Alexander,' died May 22 in Woodford, Vt.

He last was seen in Don Marquis' 'Everything's Jake,' presented in 1930 by the Theatre Assembly. Two years later he became interested in the back-to-the-farm movement, and since then devoted his time to raising crops.

Surviving are his widow and a brother.

RICCARDO DELLERA

Riccardo Dellera, 57, for 23 years assistant vocal coach and conductor of the Metropolitan Opera Co., died May 25 in the New York hospital after a four-month illness.

Born in Alba, Italy, he was a student at the Milan Conservatory, and prior to coming to the United States a quarter of a century ago, was associated with Arturo Toscanini in Milan. He had been with the met since 1917.

Surviving are his widow, daughter and two sons.

GRACE McDONALD

Grace McDonald, 34, died at the Will Rogers hospital, Saranac Lake, N. Y., May 24, after a lingering illness. She had danced in musical comedy and in night clubs, but is not to be confused with Gracie McDonald, also a music-comedy dancer, who recently appeared in 'Very Warm for May' and is now in pictures.

Her father was killed in the recent New York Central train wreck at Little Falls, N. Y., but his death was kept from her.

Surviving is her mother.

ERNEST L. SANDERS

Ernest L. Sanders, 55, former Canadian theatre manager, died suddenly at his home in London, Canada, May 23. At one time he was manager of a theatre in St. Thomas, Ont., and later managed the old Star theatre, London.

Survived by widow, son and two daughters.

CARROLL PEACOCK

Carroll Peacock, 54, Paramount branch manager in Los Angeles for past 17 years, died there May 26 following pneumonia. He joined Paramount in 1919 as a shipper, and four years later was named manager of the Oklahoma City Exchange, shortly after being transferred to L. A.

Leaves widow and son.

EDMUND T. TURNER

Edmund T. Turner, Jr., 27, formerly an announcer with WNOX, Knoxville, and later with the Iowa Broadcasting Co., died in Des Moines May 17 following illness of several weeks.

Survived by widow and his parents.

BARBARA McLEOD

Barbara Fielding, 32, known in films as Barbara McLeod, her maiden name, shot herself fatally in her home in Van Nuys, Cal., Sunday night (26), following a quarrel with her husband, Gerald C. Fielding.

Latter is former British film player, but presently a Coast radio exec.

WILLIAM F. KENNEDY

William F. Kennedy, owner and operator of two film theatres at Champlain and Rouses Point, N. Y., died suddenly May 22 at the Royal Victoria hospital, Montreal.

Survivors include widow, daughter, son, brother and three sisters.

WALTER J. STUR

Walter J. Stur, 54, advertising manager of Warner theatres in Albany for 15 years, died suddenly May 19 at his Albany home.

Survivors include a brother, Harold Stur, of New York, and a sister, Mrs. Blanche Dascomb, of Buffalo.

GEORGE E. HAYWARD

George E. Hayward, 71, secretary and general manager of the Midland theatre, Newark, O., died at Marietta, O., May 20.

JOHN LYNN McMANUS

John Lynn McManus, 36, radio scripter, died in Hollywood May 25 after an illness of three months.

Further details in radio section.

MASTER JAY BEE

Master Jay Bee, 21, nee Joseph B. Shriftman, died May 25, following

an automobile accident near New Canaan, Conn. He was a child performer and latterly a vaude and nitery m.c.

Further details in vaude section.

GEORGE E. HAYWARD

George E. Hayward, 71, Midland Theatres Co. manager and secretary, died May 20 at his home in Marietta, O.

William Ellsworth Barton, 75, who, during the 1890's, was boss canvasman with the Seils Bros. Circus, with which he traveled throughout Europe and Australia, died May 19 at his home in Columbus, O., from a heart attack. Daughter survives.

John Campbell, 53, father of Roy E. Campbell, for years a Detroit vaudeville booker and now manager of the Shafter theatre, Garden City, Mich., died May 4 in Findlay, O., following a stroke. Two other children also survive.

Elmer Edward Robinson, 72, of Columbus, O., state fair publicity man, was killed in Ironton, O., May 17, when he stepped in front of a moving truck.

Mrs. Bessie Schwartz, 72, mother of Billy Burton, manager of the Jimmy Dorsey orchestra, died in New York May 23.

Saul E. Elman, 76, father of Mischa Elman, the violinist, died May 26 after a two-week illness at the Mount Sinai hospital, N. Y.

Walter Fleischman, 38, free-lance film writer, died May 24, in Hollywood. Surviving are his widow and two children.

Mrs. Bessie Schwartz, mother of Billy Burton, manager of Jimmy Dorsey's band, died in New York last Thursday (23).

FINGERPRINT SYSTEM CURBS CARNY'S CRIME

Wichita, Kan., May 28.

Fake injury claims and undesirable employees have been cut to a minimum by the simple method of fingerprinting each new employee in the Rubin & Cherry Exposition Shows. Show, which claims more than 650 employees, was bothered with injury claims by men who said they were hurt when working about the train. They later were proved not to be employees but tramps sneaking rides.

The show doctor was sent to Washington to study fingerprinting and each week makes fingerprints of all new employees. Fingerprints are also filed with civil and criminal FBI.

MARRIAGES

Myrtle Turner to Ashmead Scott, in Ensenada, Mexico, May 28. Bride is radio actress; he's writer-producer of 'Blondie' air show.

Margaret McFarland to Bill Penneil, in Miami, May 19. He's WIOD, Miami, announcer and local AFRA secretary.

Guinevere Shelton to Wally Wallace, in Omaha, May 13. Groom is a band leader.

Muriel Ripberger to Roberto Rendueles, in Pound Ridge, N. Y., May 25. Bride is secretary of Alma Kitchell, of NBC women's division; he's a writer.

Virginia Taylor to Arthur Treacher, in Las Vegas, Nev., May 22. Both are film players.

Mrs. Alva Hunt to Hal Roach, Jr., in Yuma May 26. He's in picture production with his father.

Belle Shigon to Harry Bloom, in New York, May 26. Bride is secretary to agent Harry Besty; he's non-pro.

Muriel Roberts to Douglas McMullen, in Schenectady, May 23. Groom, formerly a WGY actor, is with General Electric's motion picture department.

BIRTHS

Mr. and Mrs. Charles Levine, son, May 21, in Hollywood. Father is on Metro's production staff.

Mr. and Mrs. G. H. Hughes, daughter, in Hollywood, May 21. Father is tax supervisor at Paramount.

Mr. and Mrs. Billy Sims, in Toledo, daughter, May 22. Father is orchestra leader.

Mr. and Mrs. Alan Hale, daughter, in Milwaukee, May 17. Father is news and sports announcer over WISN, Milwaukee.

Mr. and Mrs. Oscar Hirsch, son, in Philadelphia, May 20. Father is proprietor of Hi-Di-Ho Cafe, Philly.

Skating B. O.

Continued from page 1.

ample, for it has grown from practically nothing to a major industry in less than five years, and is no doubt drawing large chunks of coin that were formerly pouring into theatres.

Size of the draw is evident from the fact that there are 85 rinks within a 35-mile area of Times Square, N. Y., for example. Of these, five are in Manhattan, two in the Bronx, 28 on Long Island and four in Brooklyn. In addition, not only are the rinks increasing in number in small towns throughout the nation, but they are to be found on every highway, drawing patronage from miles around. Particular lures made by the skating entrepreneurs are parties at cut-rates and contests. This is similar to the bowling alleys' buildup.

Each of the rinks can handle up to 1,000 skaters with ease and some are even bigger. Important ones average well over 500 admissions a day during an almost year-round season. Tap varies, but in New York it is around 50c, which includes skates and checking. There's an extra fee of 25c for shoe skates, which attract many customers. A surprising aspect along this angle, too, is that 30-35% of the patrons are now providing their own equipment. They must be special wooden-roller skates, too, not the steel-wheeled ones kids use on the streets.

Bessie Hype to Rollers Also

Biggest rink in New York is the Gay Blades, which opened its second season of rollers last Friday (24) after wintering with ice skating. Managing it is George Beege, for years in the vaude skating act of Beege and Qupee and later in a trio known as the Three Speeds. Beege figures the vogue for ice skating created by the Sonja Henie influence in pictures and live shows has resulted in the roller boost.

But while ice skating has increased tremendously in popularity in the past few years, roller skating has gone ahead a dozen times as fast. For one thing, ice rinks require expensive chemical systems, while those for rollers can be built at comparatively low cost, meaning there are many more times the rinks for rollers than blades. In addition, roller skating is easier, partially because virtually everyone during his childhood was pretty adept at it.

Beege maintains that also enhancing popularity of the wheels is a recognition that all the fancy figures—and more—inspired by Miss Henie can be done on rollers. Dancing on them is also very popular, with 27 different types of steps being demonstrated by the more proficient skaters at Gay Blades. Beege calls them in the manner of a streamlined barn dance after the regular session ends at 11 p.m. Among them are the waltz, fox trot, collegiate, tango, continental waltz, Mohawk, chicken scratch, the blues and the Adams. Simpler waltzes and fox trots are also interspersed with plain skating during regular sessions.

Bigger rinks have organists at electric instruments providing the skating music, while smaller ones employ a variety of mechanical musical devices.

All the rinks in the New York area are indoors except one new one added this season. It's the former ice rink in Radio City, which has been covered with a special composition and is attracting the ultrawank in skaters. Others, as a whole, get a considerably less select crowd, largely comprising a group between 16 and 30 years old.

Bob Hope

Continued from page 1.

he'll personal with his 'Ghost Breakers' (Par) film, and then to the Palace, Cleveland, week of June 7. Paramount is trying to tie him up for further stage time before he heads back to the Coast, but thus far no deals have been set.

At \$20,097, Hope tops the former stage act salary record held by Al Jolson, who got \$20,000 for a week at the Capitol on Broadway some years ago. There was one difference, however, Jolson played as a single, while Hope has Jerry Colonna, and Brenda and Cobina, his radio stooges, on his stage payroll also.

All-time record salary for a personal appearance anywhere was paid Maurice Chevalier by a Coast auto show, the Frenchman getting \$25,000 for an eight-day date.

WHAT THEY THINK

Advocates Longer Pictures
Louisville, Ky.

Editor, VARIETY:
Lately I have read in VARIETY about the present situation of the motion picture industry trying to increase the earnings of their product. Now, being a member of the general public who consumes this product, I feel affected and I have several views on the matter.

But I am just a country hick and have no way to make myself heard. Raising admission prices won't help a bit. Just the elimination of double bills won't solve the problem. Lowering costs and cutting budgets will only aggravate an already difficult situation. The industry needs a drastic new policy. Here is what I propose: First of all, eliminate all double features. The disadvantages of pairing pictures are becoming more and more apparent to everyone. But if double features are abandoned, the general public of which I am a member is going to feel gyped after we leave the theatre less than two hours after we pay our 40c. If the public doesn't get nearly three hours of genuine entertainment, they'll be dissatisfied. Now theatre managers may fill in the gap with shorts, etc., but while this type of entertainment has its merits when exposed in small amounts, an hour of it would be monotonous and then motion pictures 'would not be our best entertainment.' People don't just want to see so much footage; they want to see quality in the footage.

Well, if you have read this far, you may as well read the rest. Why not make the pictures longer? Look at 'GWTW,' 'Rebecca,' 'Union Pacific,' 'Marie Antoinette,' and others. I believe they all ran better than 120 minutes. Why not add the extra footage to all pictures? They all could stand it. It may require a little skill on the part of the producer, especially not to 'overproduce' a picture, but it can be done. Make the minimum running time 125 minutes. Put more music in musicals, more scenes in dramas, and I bet more people would put down more money to see one picture they want to see.

Another thing. Increase the runs in the neighborhood houses. If you don't catch a picture in the loop, you probably miss it, for it only plays a two-day engagement when it comes in the neighborhood. Of course, there is still a chance to see the picture when it hits a 'dime-bum-house' but how many will lower their social standing to enter one of these cinema palaces?

A Hick from the Sticks.
(Name Withheld).

Roy Atwell's Missed Date
New York.

Editor, VARIETY:
After reading your account of me in last week's VARIETY, wish to let you know that the following are the true particulars as to why I did not go to Camden to open May 17.

Immediately after I had okayed the date with my manager, Mr. Rickard, I received a call to come home immediately as my sister was very sick. This was really so and was not an alibi on the part of my manager. I was really of the impression that my opening date in Camden was to have been the 24th. After all, as you folks know, I have been in show business a good many years and have played the best in radio, hotels and theatres, and I can truthfully say that this is the first time in my entire career in show business to have missed an opening date.

Roy Atwell.

Was Not a Secret
London.

Editor, VARIETY:
In a recent issue of VARIETY was a criticism on the lack of 'ballyhoo,' or 'attempt to interest listeners beforehand,' in connection with a feature program entitled 'The Ear of Britain' which was broadcast by the BBC on March 31.

This program was first broadcast on Feb. 4 last, when its meaning and purpose were fully exploited in the BBC's official program sheet. The March 31 broadcast was a revival.

You evidently do not see the British newspapers, wherein many columns of advance publicity were devoted to this and to two other programs by the same author, called 'The World Hears London,' broadcast on April 2, and 'London Calls the World,' broadcast on April 6.

Call these programs unashamed propaganda or what you will, the BBC did take steps to interest the public beforehand and even enter-

tained the press at a luncheon to meet the author, Robert Kemp, who explained the nature and scope of his programs as a preliminary to the broadcasts. Microphone announcements removed any suspicion that these were just talks or preachments.

E. G. D. Lining.
Press Representative,
British Broadcasting Corp.

AGVA and Neely
New York.

Editor, VARIETY:
Your article on 'AGVA Causes Further Four A's Friction in Coming Out for Neely Bill vs. SAG: Sees Pic Measure as Vaude Hypo,' is a misinterpretation of AGVA's position with relation to the Neely Block Booking Bill, and I take this opportunity to call your attention to the facts of the matter.

AGVA did not come out in favor of the Neely Bill. We are at present making a study of the bill and will neither favor nor oppose it until such study of this bill, and of the fact that no stand has been taken by AGVA, it is obvious that we are not in opposition to Screen Actors Guild on this matter.

American Guild of Variety Artists
Hoyt S. Haddock,
National Executive Secretary.

(VARIETY's story was based on an editorial in AGVA's official magazine. The piece, presumably expressing the viewpoint of the union, although not specifically supporting the Neely bill by name, nevertheless did criticize certain film trade practices which would be outlawed in the bill and stating that 'elimination of these practices would give vaudeville the greatest stimulus it has had in years.' At least by implication, the editorial was regarded in the trade as favoring passage of the Neely measure.—Ed.)

Urges H'wood to Slow Up
Boston.

Editor, VARIETY:
An Open Letter to Hollywood: Hey, Hollywood! Slow down, slow down!

What's it all about—this driving of the cardiac organ and the nervous system until one or the other must give way? Is it worth it?

Stop a minute to check up on your Hollywood friends and acquaintances who were struck down or cut off from life right in the prime of it.

Who can forget Irving Thalberg—died at 36. And just this week—within a few days of each other—George O'Neil, 42, and William Conselman, 42—both in the prime of life.

Stop a minute to take stock of the situation. If you've been driving yourself dangerously close to the limit of human endurance, stop it now and resolve to live on a sensible basis.

Your doc would charge you plenty for this advice, but I'm giving it to you for the taking.

Joe Ehrlich,
Keith Theatres, Boston.

It's Bob Trendler
Chicago.

Editor, VARIETY:
In your story on Hugh Studebaker in the issue of May 22nd, an error appears which I am sure is caused by misinformation supplied you. It is with reference to the maestro in the new 'Showboat' program—who is Bob Trendler. Bob Strong, whom you mentioned, has only a feature spot with his dance band, but Bob Trendler is the head of music on 'Showboat.'

Bernard Pearlman.

War or Comedy

Continued from page 3.

notable exception has been the outstanding 'Rebecca.'

War Reissues

Sudden demand for reissues and any old prints of war films that can be obtained at local exchanges has also hastened exhibitors to pick up film that has been available for some time, awaiting dates.

Numerous pictures of the first World's War which were sent out as reissues early last fall, and of which there are plenty of prints, may receive renewed life as result of latest developments on the battle front, including such as 'All Quiet,' 'Four Sons,' 'Road to Glory,' 'Forgotten Men,' etc.

The Globe, N. Y., operated by the Brandt Bros., has rebooked 'Confessions of a Nazi Spy' for an extended engagement starting June 1. Criterion, N. Y., played 'Hell Below,'

a Metro revival two weeks ago, and did unusually well with it. Exhibs around the country are dating major revivals, as well as indies and foreign-mades bearing on the war.

According to Jack Bannan, who controls 'Hell's Angels' in its so-called streamlined version, there has been a sudden interest in dates, including repeats, for this picture since Hitler's march into Holland and Belgium.

'Just a 5th Columnist'

Dallas, May 28.

'Hitler, Beast of Berlin,' which normally might have died on its feet here, attracted such mobs to the Capitol (Interstate) last week that it was held over an extra day.

Perhaps the reason was best illustrated in the case of a potential customer who actually stopped a guy leaving the show, asked how the picture was.

'Lousy,' he was told.

'You're just a—fifth columnist,' he snapped, proceeding to buy a ticket.

Orson Welles

Continued from page 3.

number by one and said he's still thinking of 'Smiler With a Knife' and 'Heart of Darkness,' which he had in his trunk when he went to Hollywood. 'Darkness' will be made if he can figure out how to trim the budget, he said, while 'Smiler' has been pretty well knifed by Uncle George (that's Orson for George J. Schaefer, RKO prexy), because Welles only wrote a secondary part in it for himself, and anyway they can't find a girl to play the lead. Cast for 'Citizen Kane,' incidentally, will be almost all Mercury Theatre players whom Welles took west with him, although he said he'd like to add some Hollywood marqueeists.

Denies Film Income

In apology for the lengthy period of non-productivity, Welles said that up until this time he hasn't received one cent of pay from RKO, nor has any of his troupe. He declared he came to Hollywood knowing absolutely nothing about making pictures, and it was silly to expect him to start right off from such a scratch spot. Since he's been there, he said, he's been paying close attention to other producers and directors on the sets, in the cutting room and in the front office. Now he feels that he's by no means an expert, but he has sufficient confidence in himself to go ahead.

And then, just to show that those three pictures in the next year aren't enough to keep the man from Mercury busy, Welles revealed a few other plans. He's currently negotiating with three potential sponsors for a commercial air program on CBS next season. In addition, he is organizing, in partnership with John Houseman, a legit financing-producing company. It will put on shows in Los Angeles which will tour to San Francisco and perhaps farther, depending on their acceptance. Idea of the outfit, in addition to producing about two Mercury plays, will be to finance other producers. Number of plays is indefinite, as Welles said he has 'loads of backing.' With the

Rain Grooms Up N. Y. Fair, But Midway Looks to Long Holiday for a Break

money made from these productions, he declared, he hopes to be able to meet the cost of keeping the Mercury group alive. In the past, he said, he has done this with his own funds, the result being 'I am now flat broke, despite all the money I have made.'

Between these other pursuits, Welles revealed, he also expects to do 15 weeks or so on the Coast and perhaps in New York in 'King Lear.'

Vs. 5th Column

Continued from page 1.

are confined chiefly to manufacturing industries, but the President is said to be pressing his assistants to hasten an accord between the Government and all channels of public information. How soon the problem will be tackled will depend upon the speed with which the industrialists are handled.

In his address last Sunday, President Roosevelt declared, 'our moral and mental defenses must be raised as never before against those who would cast a smokescreen across our vision.'

There is no intent in the Administration's plans to organize any central bureau comparable to the wartime Bureau of Public Information, which President Wilson set up with George Creel as chairman. On the contrary, complete freedom to treat with the serious aspects of the problem will be left to the ingenuity, the patriotism and the skill of all showmen.

No Propaganda

Nothing will be suggested in any manner to be interpreted as political propaganda. The attack will be exclusively from a sound basis of national unity of thought on all matters pertaining to American principles of government, freedom and personal liberty.

The President frequently has shown an earnest interest in the welfare of the film industry. Despite great pressure on his time and strength, he occasionally views films at the White House. Within the past week he saw a special screening of 'Our Town,' from Thornton Wilder's play.

It is most likely that leading exhibitors will be invited to a Washington conference with one of the Administration top execs. Harry Hopkins, Secretary of Commerce, is the likely liaison. He has an intimate knowledge of the industry as result of recent conferences between his department and some of the industry's chief executives with whom he attempted to work out a basis of settlement by consent decree of the anti-trust action, now pending.

Relations between the Administration and the radio industry are on a somewhat more formal basis because of the day-by-day contact with broadcasting by the Federal Communications Commission.

Frisco Fair Also Points Up Midway; Cavalcade, Aquacade, 'Folies' Okay

San Francisco, May 28.

Redraped with the cloak of showmanship, which rules Treasure Island this year, the Golden Gate International Exposition opened its gates Saturday (25) to a reputed attendance of 123,000, a close second to the first day's attendance a year ago.

Show biz snapped to life as the explosion of bombs officially rolled up the curtain on a new world's fair show and marked the premiere of the 'Cavalcade of America,' Billy Rose's Aquacade and the 'Folies Bergere.' Commercial exhibits are taking second place, as the fair this year is definitely show minded. Entertainment is the keynote and it ranges from the honky-tonk to the high-brow.

To enhance its beauty, the Golden Gate Expo has taken on a new color scheme for its buildings and towers.

The Gayway by early afternoon opening day was a seething mass of humanity. It is a bigger, gayer, much more diversified Gayway this year than last. There are new shows galore, including the African Jungle Camp, The Lost World, Wild Horses of the Grand Canyon, the Estonian

and Swiss Villages, to augment the shows of the initial Fair. Sally Rand's Nude Ranch is back at the old stand, as are Ripley's Odditorium, the Glass Blowers, Incubator Babies, Chinese Village, the Monster Python, this time with a litter of baby snakes, Miss America, and a hundred more of lesser importance.

Salici's Puppets is in the Hall of Western States Auditorium, Stage 9 is a big Hollywood picture set in the north wing of the former Mines and Minerals bldg. With Hollywood actors featured, this attraction goes about the business of making sound pictures before a paid audience. 'Cavalcade of America,' a bigger and more spectacular show than its predecessor, 'Cavalcade of the West,' is likewise a magnet.

Back in its old stand in the California Auditorium is Clifford C. Fisher's 'Folies Bergere,' with a brand new show on the same pattern of speed and girls in scanty wardrobe.

Grosses of three of the big shows over the two-day opening weekend were as follows:

Aquacade, Saturday, \$19,800.
'Folies Bergere,' \$8,990.
'Cavalcade of America,' \$4,300.

Up to Tuesday (28) the World's Fair had a succession of cloudy, gloomy or rainy days and nights, a run of bad weather that the 1939 season did not encounter. Along the Great White Way, however, the concessionaires were optimistic and look forward to a four-day weekend starting Memorial Day (Thursday). Most of the showmen are cognizant of the weather hazard and feel they got their share from the comparatively meagre attendance last week.

Performance schedules of the major shows were not disrupted as much as expected, though audiences were often so sparse that cancellations should have been ordered. Fair management, however, aims to have all attractions play if possible, on the ground that those customers who are on hand are entitled to ask that the expo offers and that goes particularly for the amusement zone.

'American Jubilee' called off only one performance out of 23. Estimated gross was around \$22,000, which is not profitable operation. Claimed average attendance was 5,600 daily, or about one-third of capacity.

Aquacade cancelled four performances and when it rains the performers and ensemble go on in bathing suits, same as the aquatic contingent. Estimated gross was around \$30,000, which is under the profit level. Sunday (19) last week was heavily attended and shows flourished, which gave the week a strong start, otherwise the takings would have shown even lower figures.

Gay New Orleans, which is entirely in the open, missed about 10 performances. 'Jubilee' and Aquacade audiences are protected by canvas and roofs for the most part and have a chance to draw in wet going. 'Streets of Paris,' an indoor show, was affected as much as the others, as indicated by a gross of \$13,000, meaning a slight loss on the week. 'Railroads on Parade' started Saturday (25), running into the bad weather streak, but winning a good press.

Estimated that the Fair must average 100,000 daily to break even, operating not being \$50,000 per day. With the admission lowered to 50c, those figures are away down compared with last year. There are 277 conventions scheduled in New York, many dated during the Fair season, with the largest influx coming through June.

Second week's paid attendance this year totaled 430,889, against 656,065 in the corresponding period of the Fair's first season. That means a drop of 225,176 admissions.

ILL. LABOR GROUP AIDS AGVA IN AGENCY FIGHT

Chicago, May 28.

Campaign of the outdoors division of the American Guild of Variety Artists against the stand of the Barnes & Carruthers agency continues unabated, with the latest development being the assurance of cooperation by the Illinois Federation of Labor. In a letter to AGVA outdoors secretary Paul Sanders last week, R. J. Soderstrom, president of the IFL, stated that his organization will take steps to prevent the non-union B. & C. office from booking shows into Illinois state-operated fairs.

Outdoors division of AGVA has already taken steps to halt B. & C. shows from playing such fair dates as Pomona, Detroit, Minneapolis and Springfield, and has been in contact with fair secretaries throughout the territory.

War Market Also Hits N. Y. World's Fair Bonds

Dip in stock market values during the last two weeks cut into the recent steady climb of New York World's Fair bonds which originally were listed at \$100 par value. The obligations, which have sold as low as \$20, rallied briskly about the time the 1940 fair opened, climbing up to \$30.

Decline in the stock market subsequently has shoved the fair liens down to \$25 ask price and \$28 offering quotation. Bonds are traded in on Over-the-Counter market.

SURVEY SHOWS RICHARD HIMBER LEADING BAND

at **ROOSEVELT HOTEL**
NEW ORLEANS
With These Results

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FIFTH AVENUE AT 61st STREET
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CABLE ADDRESS PIERREHOTEL
HAROLD L. ROWLAND, President

November 14th, 1939

Mr. Richard Himer,
2 East 61st Street,
New York, N. Y.
Dear Mr. Himer:

It is with pleasure that I notify you that we have decided to exercise our option to continue the engagement of your Orchestra for a further period, in accordance with the terms of the present contract which expires on November 29th, 1939.

You may be glad to know that the renewal of your contract has been dictated by popular demand and your splendid cooperation which you have extended to the Management of the Pierre.

Should your schedule require that you leave the hotel to go on the road, I assure you that you and your Orchestra will always be welcome upon return.

Sincerely yours,

(Signed) Harold L. Rowland

HLR:s

THE ROOSEVELT

NEW ORLEANS

May 10th, 1940

Executive Office
GEORGE V. RILEY
Vice President and
General Manager

Mr. Richard Himer,
The Roosevelt Hotel,
New Orleans, La.
My dear Dick:

Sometimes during the hustle and bustle of a busy day in a hotel we neglect to take enough time out to tell our friends and associates just what we think of their endeavors. That is the reason for this letter.

I have watched the trend of business in the Hawaiian Blue Room since you opened up ten days ago, and I am glad to report that business in the room has surpassed our seasonal expectations.

I want to thank you for your splendid cooperation since you have been here. This fact, coupled with your music and your dynamic personality, is doing a real selling job for us at The Roosevelt Hotel.

I wish you continued success for the balance of your engagement.

Very sincerely,

(Signed) George V. Riley

George V. Riley,
• Vice President and General Manager

GVR:RB

**Broadcasting 8th Year
Coast to Coast**
— FOR —
STUDEBAKER
NBC—CBS

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